

FACTSHEET

TITLE: Letter of Appeal filed by Mark C. Palmer of Olsson Associates on behalf of Hub Hall and Lyle Mayer, appealing the Planning Commission action denying **SPECIAL PERMIT NO. 05003, MEADOW VIEW 2ND ADDITION COMMUNITY UNIT PLAN**, for authority to develop 57 dwelling units in split jurisdiction, with associated waiver requests, on property generally located at the northeast corner of S.W. 84th Street and W. Pioneers Blvd.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 03/02/05
Administrative Action: 03/02/05

RECOMMENDATION: **Denial** (6-3: Taylor, Carroll, Sunderman, Carlson, Marvin and Pearson voting 'yes'; Krieser, Larson and Bills-Strand dissenting).

STAFF RECOMMENDATION: **Denial**

ASSOCIATED REQUESTS: Change of Zone No. 05006 (05-41)

FINDINGS OF FACT:

1. This community unit plan and the associated Change of Zone No. 05006 were heard at the same time before the Planning Commission, along with County Change of Zone No. 05007, County Special Permit No. 05004 and County Preliminary Plat No. 05001 in the Lancaster County jurisdiction.
2. The purpose of this proposal is to develop 57 residential acreage units on 148.22 acres, more or less (29 units in the County jurisdiction and 28 units in the City jurisdiction).
3. The applicant is requesting the following waivers: ornamental street lighting, sidewalks, street trees, landscape screens, block length, the preliminary plat process, non-perpendicular lot lines, lot depth/width ratio and to allow sanitary sewer to flow opposite street grade where necessary.
4. The Groundwater Quality/Quantity Report is found on p.49-59.
5. The staff recommendation of **denial** is based upon the "Analysis" as set forth on p.16-18, concluding that this proposal is not in conformance with the Comprehensive Plan. This area is shown as Agriculture and Green Space. S.W. 84th Street is not shown to be stripped by acreages.
6. Hub Hall is the contract purchaser and developer of the property. His testimony and that of the engineer, Mark Palmer, is found on p.24-25, and p.26. The applicant is proposing to develop Meadow View 2nd Addition in order to add 57 lots, and to provide sufficient lagoon capacity for Meadow View 1st Addition, as well as the new lots.
7. There was no testimony in opposition.
8. On March 2, 2005, the majority of the Planning Commission agreed with the staff recommendation and voted 6-3 to recommend **denial** (Taylor, Carroll, Sunderman, Marvin, Carlson and Pearson voting 'yes'; Krieser, Larson and Bills-Strand dissenting). Also See p.3-12.
9. On March 8, 2005, Mark C. Palmer of Olsson Associates filed a letter of appeal on behalf of the developer and owner, Hub Hall and Lyle Mayer (p.2).
10. Should the City Council approve this community unit plan, the conditions of approval set forth on p.18-22 of the staff report should be imposed.
11. The Lancaster County Board of Commissioners is scheduled to hold public hearing and action on the associated County Change of Zone No. 05007, County Special Permit No. 05004 and County Preliminary Plat No. 05001 on that portion of the property located in the County jurisdiction on April 5, 2005.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY: _____

REFERENCE NUMBER: FS\CC\2005\SP.05003 Appeal

DATE: March 28, 2005

DATE: March 28, 2005



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

CITY CLERK'S OFFICE

2005 MAR 8 AM 10 44

CITY OF LINCOLN
NEBRASKA

March 8, 2005

Ms Joan Ross
City Clerk, City of Lincoln
County-City Building
555 South 10th Street
Lincoln, NE 68508

Re: Letter of Appeal
Meadow View 2nd Addition Community Unit Plan
OA Project No. 2004-1172

Dear Ms. Ross,

On behalf of Hub Hall and Lyle Mayer, I would like to appeal the Planning Commission action of Denial of Special Permit # 05003 Meadow View 2nd Addition Community Unit Plan to the City Council.

Please contact me if you have any questions or require additional information.

Sincerely,

Mark C. Palmer, PE


Encls

cc Hub Hall

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**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : March 4, 2005

RE : **Special Permit No. 05003, Meadow View 2nd Addition CUP**
(Northeast corner of S.W. 84th Street & West Pioneers Boulevard)
Resolution No. PC-00904 – DENIED

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 2, 2005:

Motion made by Carlson, seconded by Pearson, to **DENY Special Permit No. 05003, Meadow View 2nd Addition Community Unit Plan**, requested by Olsson Associates on behalf of Lyle Mayer, to develop 57 dwelling units, including requests to waive ornamental street lighting, sidewalks, street trees, landscape screens, block length, preliminary plat process, non-perpendicular lot lines, lot depth to width ratio and to allow sanitary sewer to flow opposite street grade, on property generally located at the northeast corner of S.W. 84th Street and West Pioneers Blvd. Motion to **deny** carried 6-3 (Sunderman, Taylor, Carroll, Marvin, Carlson and Pearson voting 'yes'; Krieser, Larson and Bills-Strand voting 'no').

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Mark Palmer, Olsson Associates, 1111 Lincoln Mall, 68508
Lyle Mayer, 10101 W. Van Dorn Street, Denton, NE 68339
Hub Hall, Hub Hall Real Estate, Inc., 2320 S. 48th St., 68506

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DENIED by Planning Commission on March 2, 2005 (6-3:
Sunderman, Taylor, Carroll, Carlson, Marvin and
Pearson voting 'yes'; Krieser, Larson and Bills-Strand
voting 'no').

RESOLUTION NO. PC- 00904

SPECIAL PERMIT NO. 05003

1 WHEREAS, Lyle Mayer has submitted an application designated as
2 Special Permit No. 05003 for authority to develop Meadow View 2nd Addition
3 Community Unit Plan for 57 dwelling units, with requested waivers to eliminate the
4 preliminary plat process, to waive ornamental street lighting, sidewalks, street trees,
5 landscape screens, block length, non-perpendicular lot lines, lot depth to width ratio,
6 and to allow sanitary sewer to flow opposite street grade where necessary, on property
7 located at the northeast corner of S.W. 84th Street and W. Pioneers Blvd., and legally
8 described to wit:

9 A portion of Lot 8 I.T., located in the Southwest Quarter of
10 Section 2, Township 9 North, Range 5 East of the 6th P.M.,
11 Lancaster County, Nebraska, and more particularly
12 described as follows:

13 Commencing at the southeast corner of said Lot 8 I.T., said
14 point being the southeast corner of said Southwest Quarter,
15 said point being the true point of beginning; thence west
16 along the south line of said Lot 8 I.T., said line being the
17 south line of said Southwest Quarter, on an assumed
18 bearing north 89 degrees 50 minutes 16 seconds west, a
19 distance of 2,007.22 feet to a point located 617.50 feet east
20 of the west line of said Southwest Quarter; thence north 00
21 degrees 28 minutes 15 seconds west along a line located
22 617.50 feet east of and parallel with the west line of said
23 Southwest Quarter, a distance of 610.04 feet to a point;

1 thence north 89 degrees 50 minutes 16 seconds west along
2 a line located 610.00 feet north of and parallel with the south
3 line of said Southwest Quarter, a distance of 557.10 feet to
4 a point of intersection with the west line of said Lot 8 I.T.,
5 said point being on the east line of S.W. 84th Street right-of-
6 way, said point being 60.43 feet east of the west line of said
7 Southwest Quarter; thence north 00 degrees 25 minutes 56
8 seconds west along the west line of said Lot 8 I.T., said line
9 being the east line of S.W. 84th Street right-of-way, a
10 distance of 2,034.84 feet to the northwest corner of said Lot
11 8 I.T., said point being on the north line of said Southwest
12 Quarter, said point being 61.80 feet east of the northwest
13 corner of said Southwest Quarter; thence south 89 degrees
14 49 minutes 15 seconds east along the north line of said Lot
15 8 I.T., said line being the north line of said Southwest
16 Quarter, a distance of 2,575.46 feet to the northeast corner
17 of said Lot 8 I.T., said point being the northeast corner of
18 said Southwest Quarter; thence south 00 degrees 12
19 minutes 00 seconds east along the east line of said Lot 8
20 I.T., said line being the east line of said Southwest Quarter,
21 a distance of 2,644.02 feet to the point of beginning, said
22 tract contains a calculated area of 6,456,279.55 square feet
23 or 148.2158 acres, more or less;

24 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
25 held a public hearing on said application; and

26 WHEREAS, the community as a whole, the surrounding neighborhood,
27 and the real property adjacent to the area included within the site plan for this
28 community unit plan will not be adversely affected by granting such a permit; and

29 WHEREAS, said site plan together with the terms and conditions
30 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln
31 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
32 public health, safety, and general welfare; and

33 WHEREAS, the requested waiver of sidewalks, ornamental street lighting,
34 street trees and landscape screens are not necessary as Ordinance No. 18456

1 amended Title 26 of the Lincoln Municipal Code to waive the requirement that
2 sidewalks, ornamental street lighting, street trees and landscape screens be installed in
3 subdivisions located outside the City limits where all lots contain an area of one acre or
4 more.

5 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
6 County Planning Commission of Lincoln, Nebraska:

7 That the application of Lyle Mayer, hereinafter referred to as "Permittee",
8 to develop Meadow View 2nd Addition Community Unit Plan for 57 dwelling units be
9 and the same is hereby granted under the provisions of Section 27.63.320 and Chapter
10 27.65 of the Lincoln Municipal Code upon condition that construction of said
11 development be in strict compliance with said application, the site plan, and the follow-
12 ing additional express terms, conditions, and requirements:

13 1. This permit approves 57 dwelling units and the following waivers to
14 the Land Subdivision Ordinance, Zoning Code, and City of Lincoln Design Standards:

- 15 a. The requirement that the Permittee submit a preliminary plat
16 is waived except that if any final plat on all or a portion of the
17 approved community unit plan is submitted five (5) years or
18 more after the approval of the community unit plan, the city
19 may require that a new community unit plan be submitted,
20 pursuant to all the provisions of section 26.31.015. A new
21 community unit plan may be required if the subdivision
22 ordinance, the design standards, or the required
23 improvements have been amended by the city; and as a
24 result, the community unit plan as originally approved does
25 not comply with the amended rules and regulations.
- 26 b. The requirement of Lincoln Municipal Code § 26.23.130 that
27 block lengths shall not exceed 1320 feet between cross-
28 streets is waived for those blocks shown on the approved
29 site plan which exceed 1320 feet.
- 30 c. The requirement of Lincoln Municipal Code § 26.23.140(c)

1 that the side lines of any lot shall be at right angles
2 (perpendicular) to the street is waived for those lots shown
3 on the approved site plan which are not perpendicular to the
4 street.

- 5 d. The requirement of Lincoln Municipal Code § 26.23.140(a)
6 that a residential lot shall have a maximum depth of three
7 times its width is waived for those lots shown on the
8 approved site plan which exceed the required lot depth to
9 width ratio.

10 2. Before the approval of a final plat, the public streets, private
11 roadway improvements, drainage facilities, land preparation and grading, sediment and
12 erosions control measures, drainageway improvements, temporary turnaround and
13 barricades, and street name signs, must be completed or provisions (bond, escrow or
14 security agreement) to guarantee completion must be approved by the City Law
15 Department. The improvements must be completed in conformance with adopted
16 design standards and within the time period specified in the Land Subdivision
17 Ordinance.

18 3. Permittee agrees:

- 19 a. To complete the street surfacing of public streets, and
20 temporary turnarounds and barricades located at the
21 temporary dead-end of the streets shown on the final plat
22 within two (2) years following the approval of the final plat.
- 23 b. To complete the surfacing of private roadway, and
24 temporary turnarounds and barricades located at the
25 temporary dead-end of the private roadways shown on the
26 final plat within two (2) years following the approval of this
27 final plat.
- 28 c. To complete the enclosed public drainage facilities shown
29 on the approved drainage study to serve this plat within two
30 (2) years following the approval of the final plat.
- 31 d. To complete land preparation including storm water
32 detention/retention facilities and open drainageway
33 improvements to serve this plat prior to the installation of

1 utilities and improvements but not more than two (2) years
2 following the approval of the final plat

3 e. To complete the installation of the street name signs within
4 two (2) years following the approval of the final plat.

5 f. To complete any other public or private improvement or
6 facility required by Chapter 26.23 (Development Standards)
7 of the Land Subdivision Ordinance in a timely manner which
8 inadvertently may have been omitted from the above list of
9 required improvements.

10 g. To submit to the Director of Public Works a plan showing
11 proposed measures to control sedimentation and erosion
12 and the proposed method to temporarily stabilize all graded
13 land for approval.

14 h. To complete the public and private improvements shown on
15 the Community Unit Plan.

16 i. To retain ownership of or the right of entry to the outlots in
17 order to maintain the outlots and private improvements on a
18 permanent and continuous basis and to maintain the plants
19 in the medians and islands on a permanent and continuous
20 basis. However, the subdivider may be relieved and
21 discharged of this maintenance obligation upon creating, in
22 writing, a permanent and continuous association of property
23 owners who would be responsible for said permanent and
24 continuous maintenance. The subdivider shall not be
25 relieved of such maintenance obligation until the private
26 improvements have been satisfactorily installed and the
27 documents creating the association have been reviewed
28 and approved by the City Attorney and filed of record with
29 the Register of Deeds.

30 j. To agree to the future conversion of lots to a higher density,
31 including timing of annexation, funding of infrastructure cost,
32 and agreement to petition for special assessment districts
33 and that this is designed for future platting to a density of
34 about 300 dwellings and for future subdivision of the
35 acreage lots, said agreement and deed restrictions to be
36 reviewed and approved by the City Attorney and filed of
37 record with the Register of Deeds.

38 k. To submit to the lot buyers and home builders a copy of the
39 soil analysis.
40

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1. To pay all design, engineering, labor, material, inspection, and other improvement costs except those cost the City Council specifically agrees to subsidize.
- m. To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- n. To perpetually maintain the sidewalks/surfacing in the pedestrian way easements on Block 1 at Permittee's cost and expense.
- o. To inform all purchasers and users of land that is located within the 100 year floodplain that their land is located in the 100 year floodplain and to inform all purchasers and users of land that the grading of the lots and outlots shall be in conformance with the grading plan approved with the Meadow View 2nd CUP or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the Community Unit Plan.
- p. To protect the trees that are indicated to remain during construction and development.
- q. To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.
- r. To relinquish the right of direct vehicular access to SW 84th Street except for Lyle Mayer Lane and to W. Pioneers Blvd, except for SW 77th Cir.(Street)
- s. To maintain County roads until the County Board specifically accepts the maintenance.
- t. To submit to all potential purchasers of lots a copy of the ground water report.

4. Before receiving building permits:

- a. The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

- i. A revised site plan including 5 copies showing the following revisions:
- (1) Make the corrections requested by the County Engineer in his letter of January 31, 2005.
 - (2) Make the corrections requested by the Public Works and Utilities Department in their memo of February 8, 2005.
 - (3) Make the corrections requested by the Lincoln/Lancaster County Health Department in their memo of February 1, 2005
 - (4) Make the corrections and revision requested by Building and Safety in their memo dated January 28, 2005.
 - (5) Revise the drawing to show the acreage of all lots and outlots.
 - (6) Revise the drawing to show all acreage lots less than one acre and the acreage development area component at no more than 40% of the total area.
 - (7) Show provisions for the future connection of SW 77th with W. Pioneers Blvd. and rename the street as S. W. 77th Street.
 - (8) Show the easements requested by Norris Public Power.
 - (9) Show the easements on all lots and future lots.
 - (10) Note a preservation easement on the flood plain.
 - (11) Show grading on all future streets.
 - (12) Revise the street cross section to reference the Rural and Intermediate BTA.
 - (13) Show the minimum opening elevation for each dwelling.
 - (14) Add "with BTA" to the Title Block

- 1 (15) Add a note that this is designed for future
2 platting to a density of about 300 dwellings and
3 for future subdivision of the acreage lots.
- 4 (16) Add a note that a written agreement shall be
5 provided for the future conversion of lots to a
6 higher density, including timing of annexation,
7 funding of infrastructure cost, and agreement
8 to petition for special assessment districts.
- 9 (17) Add a note that only one main building in a
10 building envelope is allowed per platted lot.
- 11 (18) Note on page 3 this is the "Transitional Plat".
- 12
- 13 ii. Submit a permanent final plan with 5 copies as
14 approved.
- 15 b. The construction plans comply with the approved plans.
- 16 c. Final plat(s) is/are approved by the City/County.
- 17 d. The required easements as shown on the site plan are
18 recorded with the Register of Deeds.
- 19 5. Before occupying this Community Unit Plan all development and
20 construction is to comply with the approved plans.
- 21 6. Before occupying these dwellings the City/County Health
22 Department must approve the water and waste water systems.
- 23 7. All privately-owned improvements, including landscaping and
24 recreational facilities, are to be permanently maintained by the owner or an
25 appropriately established homeowners association approved by the City.
- 26 8. The site plan accompanying this permit shall be the basis for all
27 interpretations of setbacks, yards, locations of buildings, location of parking and
28 circulation elements, and similar matters.

1 9. This resolution's terms, conditions, and requirements bind and
2 obligate the permittee, its successors and assigns.

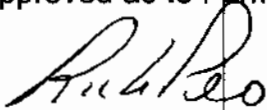
3 10. The applicant shall sign and return the letter of acceptance to the
4 City Clerk within 30 days following the approval of the special permit, provided,
5 however, said 30-day period may be extended up to six months by administrative
6 amendment. The clerk shall file a copy of the resolution approving the special permit
7 and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in
8 advance by the applicant.

9 The foregoing Resolution was approved by the Lincoln City-Lancaster
10 County Planning Commission on this ____ day of _____, 2005.

ATTEST:

**DENIED by Planning Commission
on March 2, 2005, 6-3.**

Approved as to Form & Legality:



Chief Assistant City Attorney

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 2, 2005 PLANNING COMMISSION MEETING

P.A.S.: Meadow View 2nd Addition Community Unit Plan

City Change of Zone #05006, County Change of Zone #05007, **City Special Permit #05003**,
County Special Permit #05004, County Preliminary Plat #05001

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: A Change of Zone from AG to AGR, a Community Unit Plan with build-through and preliminary plat for 57 acreage residential units. All in split City and County jurisdiction.

LOCATION: Northeast corner of SW 84th & W. Pioneers Blvd

WAIVER REQUESTS:

1. Ornamental street lighting.
2. Sidewalks.
3. Street trees.
4. Landscape screens.
5. Block length.
6. Preliminary Plat (city only)
7. Non-perpendicular lot lines
8. Lot depth/width ratio
9. To allow sanitary sewer to flow opposite street grade where necessary.

LAND AREA: 148.22 acres, more or less.

CONCLUSION: The requested change of zone is not in conformance with the Lincoln/Lancaster County Comprehensive Plan and should be **denied**. If approved, the CUP can be conditionally approved to accommodate corrections needed. The Community Unit Plan, proposes to “cluster” the 57acreage lots. Waivers requested are typical of a rural subdivision and are provided for in the code. A 20% bonus is being requested for green space preservation and an additional 20% for clustering. Build Through applies.

RECOMMENDATION:

Co. Change of Zone #05007 to AGR	Denial
Change of Zone #05006 to AGR	Denial
Co. Special Permit #05004	Denial; or conditional approval if the change of zone is approved
<u>Special Permit # 05003</u>	<u>Denial; or conditional approval if the change of zone is approved</u>
Preliminary Plat # 05001	Denial; or conditional approval if the change of zone is approved

Waivers (If the change of zone is approved)

<u>1. Ornamental lighting</u>	<u>Approval</u>
<u>2 Sidewalks</u>	<u>Approval</u>
<u>3. Street trees</u>	<u>Approval</u>
<u>4. Landscape screens</u>	<u>Approval</u>
<u>5. Block length</u>	<u>Approval</u>
<u>6. Preliminary plat</u>	<u>Approval</u>
<u>7. Non-perpendicular lot lines</u>	<u>Approval</u>
<u>8. Lot depth to width ration</u>	<u>Approval</u>
<u>9. Sewer flow opposite street grade</u>	<u>NA</u>

GENERAL INFORMATION

LEGAL DESCRIPTION: Portion of Lot 8 I T, in the SW 1/4 of Section 2, T9N, R5E of the 6th P.M., Lancaster County, Nebraska. Further described in attached legal.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Farm land/pasture

SURROUNDING LAND USE AND ZONING: AG zoned to the east, south and west. AGR zoning to the north. Agricultural to the south, and agricultural and single family to the north and east. Acreage subdivision (Meadow View) adjacent to the north.

HISTORY: Meadow View to the north was approved in 1998. The abutting land to the north was changed to AG to AGR in 1996 (CZ162). The abutting land to the northeast was changed from AG to AGR in 1995 (CZ 2915). This property was changed from AA Rural and Public Use to AG Agriculture with the adoption of the 1979 Zoning Update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan shows this area as Agriculture and Green Space and Agriculture Stream Corridor along the stream. This is in Lincoln growth Tier III and one mile outside the Denton one mile. A cluster is permitted by special permit in the AG district. Build-Through applies in the city jurisdiction. In relation to clustering, the Comprehensive Plan states:

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the “Right to Farm” and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Specific areas will be designated so that approximately 6% of the total population in the County can be accommodated on acreages. Grouping acreages together in a specific area enables services to be provided more efficiently, such as reducing the amount of paved roads, fewer and shorter school bus routes and more cost effective rural water district service. Grouping also reduces the amount of potential conflict points between farm operations and acreages. (F70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per “40” acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location.” (F 71)

Environmental Resources: Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors. Such areas may be either publicly or privately owned.

Agricultural Stream Corridor: Land intended to remain in open space, predominately in agricultural use, but that may also include parks, recreation fields, or parking areas when near future commercial, industrial, or public uses. Such areas will be primarily privately owned, but may also include some public ownership or easements. These areas are mostly in the 100 year floodplain, outside of the existing Lincoln urban development. (F 22)

Riparian, Floodplains, and Stream Corridors – Streams and their adjoining corridors snake their way through much of Lancaster County. Throughout the region, surface water runoff flows into these stream corridors that typically consist of floodplains and riparian areas. These are instrumental in providing habitat and water infiltration benefits, along with serving as connectors to natural areas. (F55)

UTILITIES: This is not in a rural water district. Community waste water treatment and Individual well water is proposed. There are no public utilities available. The groundwater report indicates adequate quantity and quality.

TOPOGRAPHY: Rolling, sloping to the south and west.

TRAFFIC ANALYSIS: This is served by West Pioneer Blvd, West Van Dorn and S.W. 84th Street (State Spur 55-A). S.W. 84th Street is a paved road. West Van Dorn is a paved county road. W. Pioneer Road is a gravel county road.

PUBLIC SERVICE: This is in the Southwest Rural Fire District and the Haines Branch School District 69. This served by the Lancaster County Sheriff's Department

REGIONAL ISSUES: Expansion of the acreage areas. Clustering to preserve farm land and floodplain. Build-through

ENVIRONMENTAL CONCERNS: The Historic and Ecological resources survey shows no resources on this site. West Van Dorn was the general location of the 1862 Steam Wagon Road alignment. The soil rating on this land is 6.8 on a scale of 1 to 10 where 1 is the highest. This is not prime ag land. Approximately 20 % of this site, along the western edge, is in the 100 year flood plain. A small native prairie is located about 1/4 mile east of this proposal.

AESTHETIC CONSIDERATIONS: na

ALTERNATIVE USES: All uses allowed in the AG district. Seven 20+ acre lots. An AG cluster.

ANALYSIS:

1. This request is for a Change of Zone, Special Permit for a Community Unit Plan with build-through and a Preliminary Plat for 57 acreage residential lots. Private, paved, internal streets are proposed. A 20% dwelling unit bonus is being requested for preservation of the farm land/green space and an additional 20% bonus is requested for clustering. This site is in both the City and County zoning jurisdiction.
2. Community waste lagoons are proposed to serve the subdivision and the abutting subdivision to the north. Individual water wells are proposed. The water report indicates adequate water quality and quantity.
3. This request is not in conformance with the Comprehensive Plan. This area is shown as Agriculture and Green Space. S W 84th is not shown to be stripped by acreages.
4. This request is in both the jurisdiction of the City of Lincoln and Lancaster County and requires approval by both bodies.
5. The Health Department notes the need for lagoon reserve areas for a backup lagoon.
6. Public Works and Utilities notes several issues/revisions to sanitary sewer, grading and streets.
7. Norris Public Power is requesting easements on all lots.
8. Building and Safety notes the need for base flood elevations and floodplain permits.

9. The County Engineer letter of January 31, 2005, notes several adjustments, including: the need for floodplain permits, maximum flood elevations, approval of the NDOR for connection to SW 84th Street, and the need for paving 1/4 of a mile from S.W. 77th to S.W. 84th Street and bridge replacement on W. Pioneers Blvd. if a connection is made to W. Pioneers Blvd.
10. This design includes provisions for Build -Through in the area of new development but does not appear to meet the BTA code requirements for one acre lots in the cluster and not more than the 40% of the total area can be developed.
11. This design reflects many of the normal adjustments to accomplish a cluster style of acreage subdivision through the CUP.
12. Waivers are requested for street lights, sidewalks, block length, street trees, and screening. These are typical waivers required, provided for and appropriate for agriculture/acreage clusters. Yards are adjusted from AGR to AGR and R-3 standards as part of the cluster. Recent amendments no longer required the waiver for street lights, screening, sidewalks and street trees.
13. The requested waver to perpendicular lot lines is justified in that it is used sparingly to fit street curves and create more useable lots.
14. The Public Works and Utilities note they do not have sufficient information to agree to the waver of sewer lines flowing opposite the street grade.
15. The flood plain area is about 20% of the parcel and is retained as an outlot.
16. As requested by the County Board, no scoring is provided on this application.
17. The existing AG zoning would allow seven to eight dwellings. The density calculations for the project with the change of zone are as follows;

148.22 acres total

45. acres of AGR at 0.27 dwelling per acre (city)	=	12.15 dwellings
x 1.20 bonus for clustering	=	14.58 dwellings
x 1.20 bonus for preservation	=	17.49 dwellings

102 acres / 3 acres (county)	=	34 dwellings
x 1.20 bonus for preservation	=	40.8 dwellings
Total county and city 40.8+17.49	=	58.29

Permitted with the change to AGR
Requested

58 dwellings
57 units on 57 lots

18. The S. W. 77th Cir. cul de sac at W. Pioneer is not justified. The connection could be barricaded but not opened or build until annexation or until the bridge is replaced on W. Pioneer. The street name must be revised by replacing “circle” with “street”.
19. Some acreage review issues can be addressed in this report:
 - a) Water/rural water,
The ground water report indicate adequate quantity and quality water. This is not in a rural water district.
 - b) Road access and paving,
There is pavement via Van Dorn and SW 84th Street. W. Pioneers Blvd is a county gravel road. The bridge would have to be replaced and the road paved if this was a primary connection out of the plat. No more than 40 lots shall be final platted before two platted streets exits are constructed.
 - c) Soil rating,
The soil is not prime ag land of the county.
 - d) Development of the area/land parcelization,
The land in this area is substantially split into smaller acreage parcels to the north. There are some older acreage lots to the west. The area to the south, east and southwest are still in larger farmed parcels
 - e) Existing acreages,
There is acreage development in this immediate area, to the north, with some to the west.
 - f) Conflicting farm uses,
There are no farm feeding operation or other conflicting farm uses noted.
 - g) Environmental issues,
There are no known environmental issues with this land. There is flood plain and probably wetlands on the west.
 - h) Impact on other governmental entities,
This will increase demand for service on the Sheriff, Rural Fire, School and others and increased traffic on rural roads. The level of impact is not known.
 - i) Plans of other towns,
NA

CONDITIONS FOR CITY SPECIAL PERMIT # 05003

Site Specific:

1. This approval permits 57 dwelling units.
2. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.
3. Before the approval of a final plat, the public streets, private roadway improvements, drainage facilities, land preparation and grading, sediment and erosions control measures, drainageway improvements, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.
4. Permittee agrees:
 - 4.1. to complete the street surfacing of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.
 - 4.2. to complete the surfacing of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadways shown on the final plat within two (2) years following the approval of this final plat.
 - 4.3. to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.
 - 4.4. to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat
 - 4.5. to complete the installation of the street name signs within two (2) years following the approval of the final plat.
 - 4.6. to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

- 4.7 to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
- 4.8 to complete the public and private improvements shown on the Community Unit Plan.
- 4.9 to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
- 4.10 to agree to the future conversion of lots to a higher density, including timing of annexation, funding of infrastructure cost, and agreement to petition for special assessment districts and that this is designed for future platting to a density of about 300 dwellings and for future subdivision of the acreage lots, said agreement and deed restrictions to be reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
- 4.11 to submit to the lot buyers and home builders a copy of the soil analysis.
- 4.12 to pay all design, engineering, labor, material, inspection, and other improvement costs except those cost the City Council specifically subsidizes as follow:
- 4.13 to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 4.14 to perpetually maintain the sidewalks/surfacing in the pedestrian way easements on Block 1 at their own cost and expense.
- 4.15 to inform all purchasers and users that the land is located within the 100 year floodplain and that the grading of the lots and outlots shall be in conformance with the grading plan approved with the Meadow View 2nd CUP or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the Community Unit Plan.
- 4.16 to protect the trees that are indicated to remain during construction and development.
- 4.17 to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance

issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

- 4.18 to relinquish the right of direct vehicular access to SW 84th Street except for Lyle Mayer Lane and to W. Pioneers Blvd, except for SW 77th Cir.(Street)
- 4.19 to maintain County roads until the County Board specifically accepts the maintenance.
- 4.20 to submit to all potential purchasers of lots a copy of the ground water report.

General:

5. Before receiving building permits:

- 5.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

- 5.1.1 A revised site plan including 5 copies showing the following revisions:

- 5.1.1.1 Make the corrections requested by the County Engineer in his letter of January 31, 2005.
- 5.1.1.2 Make the corrections requested by the Public Works and Utilities Department in their memo of February 8, 2005.
- 5.1.1.3 Make the corrections requested by the Lincoln/Lancaster County Health Department in their memo of February 1, 2005
- 5.1.1.4 Make the corrections and revision requested by Building and Safety in their memo dated January 28, 2005.
- 5.1.1.5 Revise the drawing to show the acreage of all lots and outlots.
- 5.1.1.6 Revise the drawing to show all acreage lots less than one acre and the acreage development area component at no more than 40% of the total area.
- 5.1.1.7 Show provisions for the future connection of SW 77th with W. Pioneers Blvd. and rename the street as S. W. 77th Street.
- 5.1.1.8 Show the easements requested by Norris Public Power.
- 5.1.1.9 Show the easements on all lots and future lots.

- 5.1.1.10 Note a preservation easement on the flood plain.
- 5.1.1.11 Show grading on all future streets.
- 5.1.1.12 Revise the street cross section to reference the Rural and Intermediate BTA.
- 5.1.1.13 Show the minimum opening elevation for each dwelling.
- 5.1.1.14 Add “with BTA” to the Title Block
- 5.1.1.15 Add a note that this is designed for future platting to a density of about 300 dwellings and for future subdivision of the acreage lots.
- 5.1.1.16 Add a note that a written agreement shall be provided for the future conversion of lots to a higher density, including timing of annexation, funding of infrastructure cost, and agreement to petition for special assessment districts.
- 5.1.1.17 Add a note that only one main building in a building envelope is allowed per platted lot.
- 5.1.1.18 Note on page 3 this is the “Transitional Plat”.
- 5.1.1.19 A permanent final plan with 5 copies as approved.

5.2 The construction plans comply with the approved plans.

5.3 Final plat(s) is/are approved by the City/County.

5.4 The required easements as shown on the site plan are recorded with the Register of Deeds.

STANDARD CONDITIONS:

6. The following conditions are applicable to all requests:

6.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.

6.2 Before occupying these dwellings City/County Health Department is to approve the water and waste water systems.

6.3 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.

- 6.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 6.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 6.6 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Mike DeKalb
441-6370, mdekalb@lincoln.ne.gov
Planner
February 22, 2005

APPLICANT: Mark Palmer
Olson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402) 474 - 6311

OWNER: Lyle Mayer
10101 W. Van Dorn Street
Denton, NE 68339
(402) 438 - 3770

CONTACT: Mark Palmer
(402) 474 - 6311

**CITY CHANGE OF ZONE NO. 05006
and COUNTY CHANGE OF ZONE NO. 05007,
CITY SPECIAL PERMIT NO. 05003 and
COUNTY SPECIAL PERMIT NO. 05004,
MEADOW VIEW 2ND ADDITION COMMUNITY UNIT PLAN;
and COUNTY PRELIMINARY PLAT NO. 05001,
MEADOW VIEW 2ND ADDITION,**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 2, 2005

Members present: Sunderman, Krieser, Taylor, Larson, Carroll, Marvin, Carlson, Pearson and Bills-Strand.

Staff recommendation: Denial.

Ex Parte Communications: None.

Proponents

1. Hub Hall presented the proposal, stating that he has developed Meadow View Estates as far as he can. The original addition is in place with only two lots that are not yet built upon. The 1st Addition has been final platted and the roads have been graded but NDEQ has said they do not have adequate capacity in the lagoon to put in the infrastructure for the 1st Addition. He has tried to purchase 10 acres from an adjacent property owner. Instead of 10 acres, the adjacent owner has offered to sell 160 acres, and Hall has a contract to purchase the 160 acres.

This plat allows service to Meadow View 1st and 57 one-acre tracts known as Meadow View 2nd Addition. He needs the 2nd Addition approved to complete the 1st Addition. He has dedicated over 30 acres to green space on S.W. 84th Street in the 1st Addition and will continue to have open space in 2nd Addition along S.W. 84th. There will only be one access point onto S.W. 84th.

Hall believes that Meadow View has been a great addition to Lancaster County and he received a special environmental award from the City/County Health Department and the County Board for this development.

Hall noted that the County Commissioners have applauded this type of development with the large areas devoted to open space. Hall thought he had adequate lagoon capacity for the Original and 1st Addition, and he was surprised when it was discovered that he needed more capacity.

Hall intends to continue the integrity of Meadow View Estates. He believes this development fits well in Lancaster County. The report signifies that this is not prime agricultural land, and Hall believes this 2nd Addition fits well with the acreages that are already established and it is a good use of the land.

N.W. 84th is an asphalt road; W. Van Dorn is an asphalt road; West Pioneers is not asphalt—it is gravel, that is why they did not connect to Pioneers, but to 84th Street instead.

Pearson inquired about the lagoon situation in phase one. Hall explained that he had the plans approved and NDEQ said he could not use any additional land because it would be in the floodplain. He believes it will be 50 years before they fill up the two lagoons they already have, but not according to NDEQ.

Mark Palmer of Olsson Associates, noted that it looks like a lot of open space that could provide for the lagoon, by their remaining property was dedicated as conservation easements and that is the problem the developer is running into.

Palmer also added that this development connects to S.W. 84th Street because it is the asphalt road. The floodplain was mapped off the USGS contours and it is not accurate as to where the draws and floodplain reflect today. This development is impacting the floodplain where it crosses the roadways. The developer will comply with the floodplain requirements. The lagoon on the north end is to serve a portion of Meadow View. There are also lagoons on the south side.

There was no testimony in opposition.

Staff questions

Carlson confirmed with staff that this property is not shown in the Comprehensive Plan for acreage development because we should not be stripping S.W. 84th Street with acreages. DeKalb concurred. Carlson is seeking to find the impact of being close to a paved road because the County Board has asked us not to use the point system. DeKalb stated that if it is not shown in the Comprehensive Plan, there is a presumption of denial; then staff looks at other circumstances and criteria to suggest that it should be approved. When Meadow View came, it was not a phase I, phase II. In fact, with split jurisdiction, the Council approved the subdivisions immediately to the east, and this parcel was owned by another individual and was between existing acreages and approved plats. At that time, there was no representation that this would extend further to the south. The Comprehensive Plan does not show it. If it does expand to the south, the rest of the roads are gravel.

DeKalb pointed out that if this development is approved, the connection to the road to the south does not have to be done until the city annexes or the county replaces the bridge and asphalts the road.

With regard to the sewer system, DeKalb advised that the city and county did approve the cluster subdivisions, which had been engineered by a private consulting firm and the approval was contingent upon approval by state DEQ. They did approve it, and it was constructed. What has happened is that they are getting more generation of effluent than the lagoon can handle. That is the reason for an additional lagoon to the south. There are multiple opportunities.

Carroll referred to #10 in the staff analysis regarding build-through, noting that this proposal does not follow build-through as far as the cluster area, and not all of the site is developable. DeKalb

clarified that it does follow the build-through; however, the County has no provision for build-through and this development is in split jurisdiction. Within the cluster they are providing the ghost plat; they do meet the 40% maximum developable area for build-through and have indicated that the areas in the outlot (floodplain) are reserved for future development when the city gets there. They do meet the build-through requirements.

Pearson inquired whether phase one of this development was in the Comprehensive Plan. DeKalb responded that it was not, and it was not phased. Meadow View came in as a change of zone by another owner to AGR. He did not have a plat with it and he was already straddled by the existing acreages to the west.

Response by the Applicant

In terms of stripping of acreages along S.W. 84th Street, Palmer pointed out that with the build-through approach, they are leaving open space adjacent to 84th Street. It is reserved for future development. The whole development is planned for the build-through approach. S.W. 84th would be allowed to develop into something other than residential. Palmer acknowledged that he is new at the build-through regulations, so he understands that they do need to scale down the amount of land that is being used for the lots and they will work with staff on that. Palmer agreed with all conditions of approval set forth in the staff report.

CITY CHANGE OF ZONE NO. 05006

ACTION BY PLANNING COMMISSION:

March 2, 2005

Larson moved approval, seconded by Marvin.

Carlson stated that he will vote against based on the guidance of the Comprehensive Plan. It is specific about providing sufficient land for development and it is specific about not stripping in the County and not clustering acreages. The Comprehensive Plan also calls for the point system, but we are not using it and thus do not know whether this is a "sweet spot" or not. After that we have a Comprehensive Plan that talks about not sprawling out in the County.

Pearson stated that she will vote against this, also. It is not on a paved road and there is no point system to evaluate it fully. It is adjacent to a development that was not in the Comprehensive Plan, either. We are being asked to approve 57 additional units on 148 acres so that they can provide for additional land for a lagoon that doesn't fit on the first property. She does not want to approve a development so that someone can increase the size of their lagoon.

Motion for approval failed 4-5: Krieser, Larson, Marvin and Bills-Strand voting 'yes'; Sunderman, Taylor, Carroll, Carlson and Pearson voting 'no'.

Carlson moved denial, seconded by Pearson.

Marvin commented that normally he is not real enthused about acreages, but this one does sit next to a road and he does not believe we are taxing the system by putting it next to an asphalt road. In addition, it is certainly next to other homeowners who are not here in opposition.

These are acreages that are next to other acreages and he thinks it is a reasonable accommodation; it complies with the build-through standards; and has good water.

Pearson wondered about the thickness of S.W. 84th Street. Unless it has a 6 or 8 inch base, it is not up to county standards. She is also concerned about the lagoons. We are increasing the area of lagoons and adding more lagoons, which are above ground fields for septic, which she does not believe is the best way to handle the septic. She would rather see it developed wiser down the road rather than putting in three lagoons.

Bills-Strand believes it is a subdivision that was well-built and it received an environmental award so she will vote in favor.

Motion to deny carried 5-4: Taylor, Carroll, Sunderman, Carlson and Pearson voting 'yes'; Krieser, Larson, Marvin and Bills-Strand voting 'no'. This is a recommendation to the City Council.

COUNTY CHANGE OF ZONE NO. 05007

ACTION BY PLANNING COMMISSION:

March 2, 2005

Carlson moved denial, seconded by Pearson and carried 5-4: Taylor, Carroll, Sunderman, Carlson and Pearson voting 'yes'; Krieser, Larson, Marvin and Bills-Strand voting 'no'. This is a recommendation to the Lancaster County Board.

CITY SPECIAL PERMIT NO. 05003

ACTION BY PLANNING COMMISSION:

March 2, 2005

Carlson moved to deny, seconded by Pearson and carried 6-3: Sunderman, Taylor, Carroll, Marvin, Carlson and Pearson voting 'yes'; Krieser, Larson and Bills-Strand voting 'no'. This is final action, unless appealed to the City Council within 14 days.

COUNTY SPECIAL PERMIT NO. 05004

ACTION BY PLANNING COMMISSION:

March 2, 2005

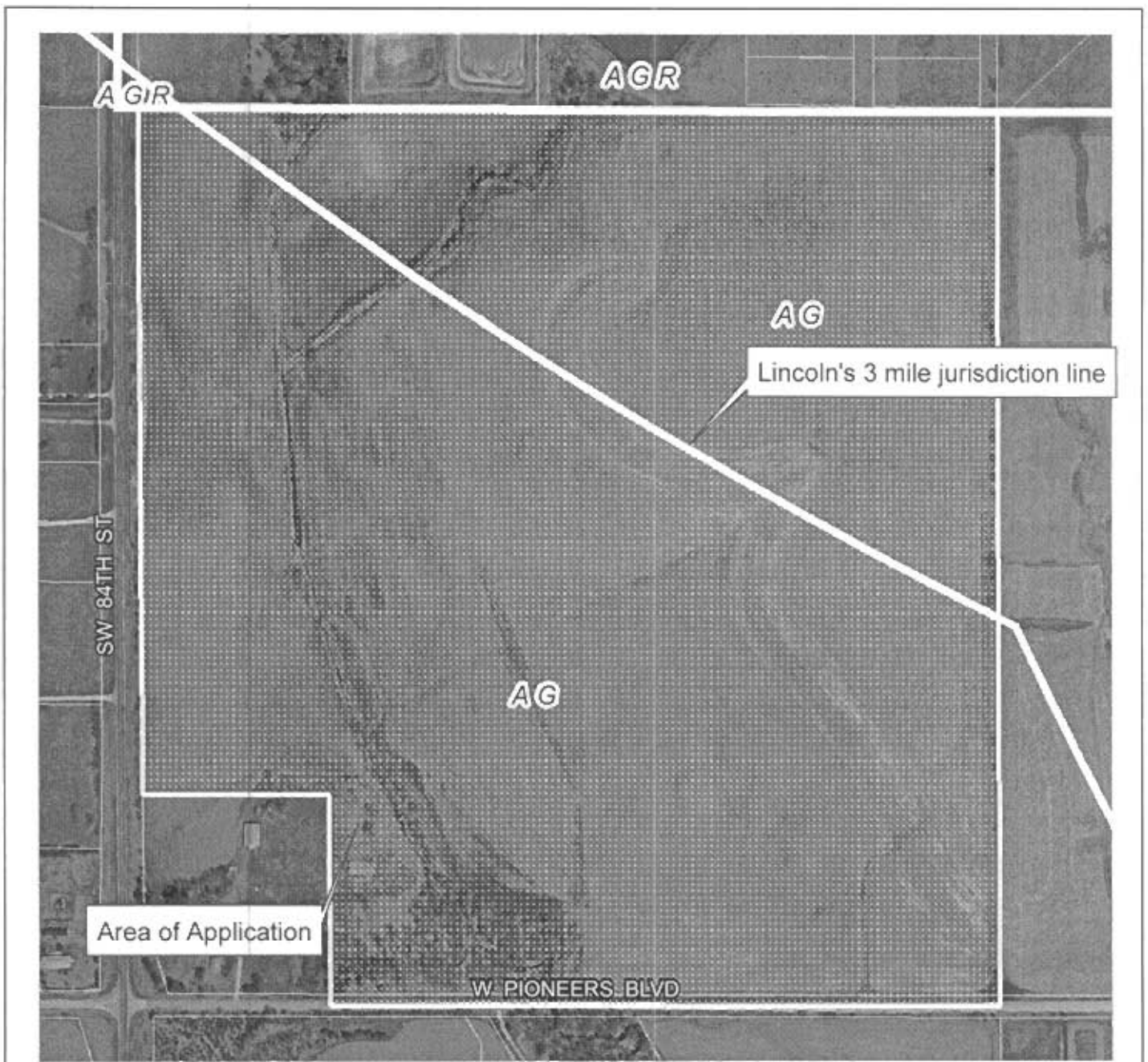
Carlson moved to deny, seconded by Pearson and carried 6-3: Sunderman, Taylor, Carroll, Marvin, Carlson and Pearson voting 'yes'; Krieser, Larson and Bills-Strand voting 'no'. This is a recommendation to the Lancaster County Board.

COUNTY PRELIMINARY PLAT NO. 05001

ACTION BY PLANNING COMMISSION:

March 2, 2005

Carlson moved to deny, seconded by Pearson and carried 6-3: Sunderman, Taylor, Carroll, Marvin, Carlson and Pearson voting 'yes'; Krieser, Larson and Bills-Strand voting 'no'. This is a recommendation to the Lancaster County Board.



County Prelim. Plat #05001
Co. Change of Zone #05007
Change of Zone #05006
Co. Special Permit #05004
Special Permit #05003
Meadow View 2nd Add
SW 84th & W Pioneers Blvd

2002 aerial

Zoning:

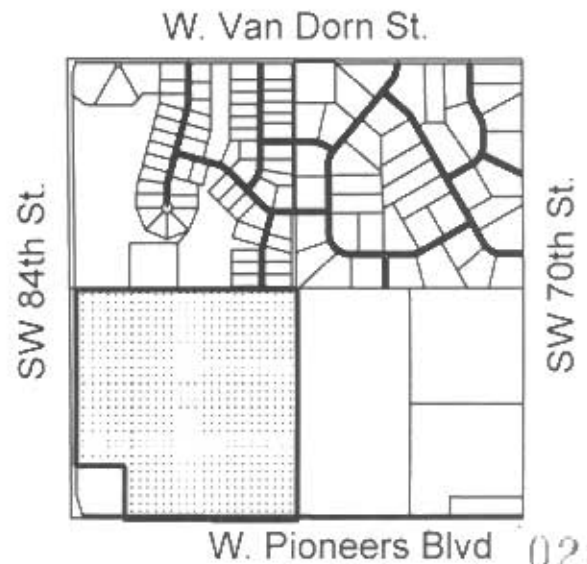
R-1 to R-5	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 2 T9N R5E



Zoning Jurisdiction Lines

City Limit Jurisdiction



028

Lincoln City - Lancaster County Planning De
m:\plan\arcview\05_pp\cp05001

LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 8 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 5 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8 I.T., SAID POINT BEING THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 8 I.T., SAID LINE BEING THE SOUTH LINE OF SAID SOUTHWEST QUARTER, ON AN ASSUMED BEARING NORTH 89 DEGREES 50 MINUTES 16 SECONDS WEST, A DISTANCE OF 2,007.22 FEET TO A POINT LOCATED 617.50 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, THENCE NORTH 00 DEGREES 28 MINUTES 15 SECONDS WEST ALONG A LINE LOCATED 617.50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 610.04 FEET TO A POINT, THENCE NORTH 89 DEGREES 50 MINUTES 16 SECONDS WEST ALONG A LINE LOCATED 610.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 557.10 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 8 I.T., SAID POINT BEING ON THE EAST LINE OF SOUTH WEST 84TH STREET RIGHT-OF-WAY, SAID POINT BEING 60.43 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, THENCE NORTH 00 DEGREES 25 MINUTES 56 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 8 I.T., SAID LINE BEING THE EAST LINE OF SOUTH WEST 84TH STREET RIGHT-OF-WAY, A DISTANCE OF 2,034.84 FEET TO THE NORTHWEST CORNER OF SAID LOT 8 I.T., SAID POINT BEING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SAID POINT BEING 61.80 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE SOUTH 89 DEGREES 49 MINUTES 15 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 8 I.T., SAID LINE BEING THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,575.46 FEET TO THE NORTHEAST CORNER OF SAID LOT 8 I.T., SAID POINT BEING THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE SOUTH 00 DEGREES 12 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 8 I.T., SAID LINE BEING THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,644.02 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 6,456,279.55 SQUARE FEET OR 148.2158 ACRES, MORE OR LESS.

January 13, 2005
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County Prelim. Plat #05001
Co. Change of Zone #05007
Change of Zone #05006
Co. Special Permit #05004
Special Permit #05003
Meadow View 2nd Add
SW 84th & W Pioneers Blvd OI



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

January 20, 2005

Mr Marvin Krout
Planning Department , City of Lincoln
County-City Building
555 South 10th Street
Lincoln, NE 68508

Re: Meadow View 2nd Addition Community Unit Plan
OA Project No. 2004-1172

Dear Mr. Krout,

Enclosed please find the following for the above-mentioned project:

1. Site Plan - 21 copies.
2. Drainage and Grading Plan - 9 copies.
3. Street Profile Plans - 5 copies.
4. City of Lincoln Change of Zone Application and Exhibit
5. City of Lincoln Application for Special Permit (C.U.P.)
6. Lancaster County Change of Zone Application and Exhibit
7. Lancaster County Application for Special Permit (C.U.P.)
8. Lancaster County Application for Preliminary Plat
9. \$1,145 for City Applications
10. \$2,370 for County Applications
11. Soils Report – 1 Copy
12. Water Report – 1 Copy
13. Ownership Certificate
14. 8-1/2" x 11" Reductions of Plans

On behalf of the developer, Highway 15, Inc., we submit the following Community Unit Plan for your review.

Meadow View 2nd Addition is located at the northeast corner of S.W. 84th and W. Pioneers Blvd., directly to the south of Meadow View 1st addition. The site contains approximately 147 acres and is currently zoned AG. We are proposing to change the zone to AGR and develop 57 one acre lots. Each lot will have its own water well and the site will have a community wastewater system. The private roadways within the development will be 6" thick asphalt.

The lagoon system is being designed not only to accommodate this development, but to serve 33 lots in the existing Meadow View 1st Addition. The lagoon system that was designed for that development was found to be undersized.

At this time we are not proposing to take access from West Pioneers Blvd. Our access points are S.W. 78th Street and S.W. 84th Street. We have discussed the S.W. 84th access with the NDOR. The state does not have access control on this portion of the roadway. Our proposed intersection meets all City of Lincoln and Lancaster County intersection sight distance requirements.

We are requesting a 20% C.U.P. bonus and a 20% greenspace preservation bonus.

A portion of this development is subject to the recently approved BTA requirements. Therefore we have provided a transitional or "ghost" plat, showing easements for future roadways and utilities and a possible future lot configuration. Outlots "B" and "C" are shown on the plans as reserved for future urban development.

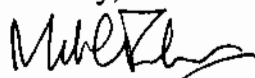
We are requesting the customary waivers to the land subdivision ordinance for block length, sidewalks, street trees, street lighting and landscape screening, as each lot is at least one acre and we are not being annexed into the City of Lincoln at this time.

We are also requesting the following additional waivers:

1. A waiver to allow lot lines that are not at right angles to the row and access easements.
2. A waiver to the minimum width to depth ratio for lots in the transitional plat.
3. A waiver to the requirement of a preliminary plat on the portion which lies inside of the City of Lincoln's 3 mile jurisdiction.
4. To allow sanitary sewer to flow opposite street grades where necessary to serve all lots.

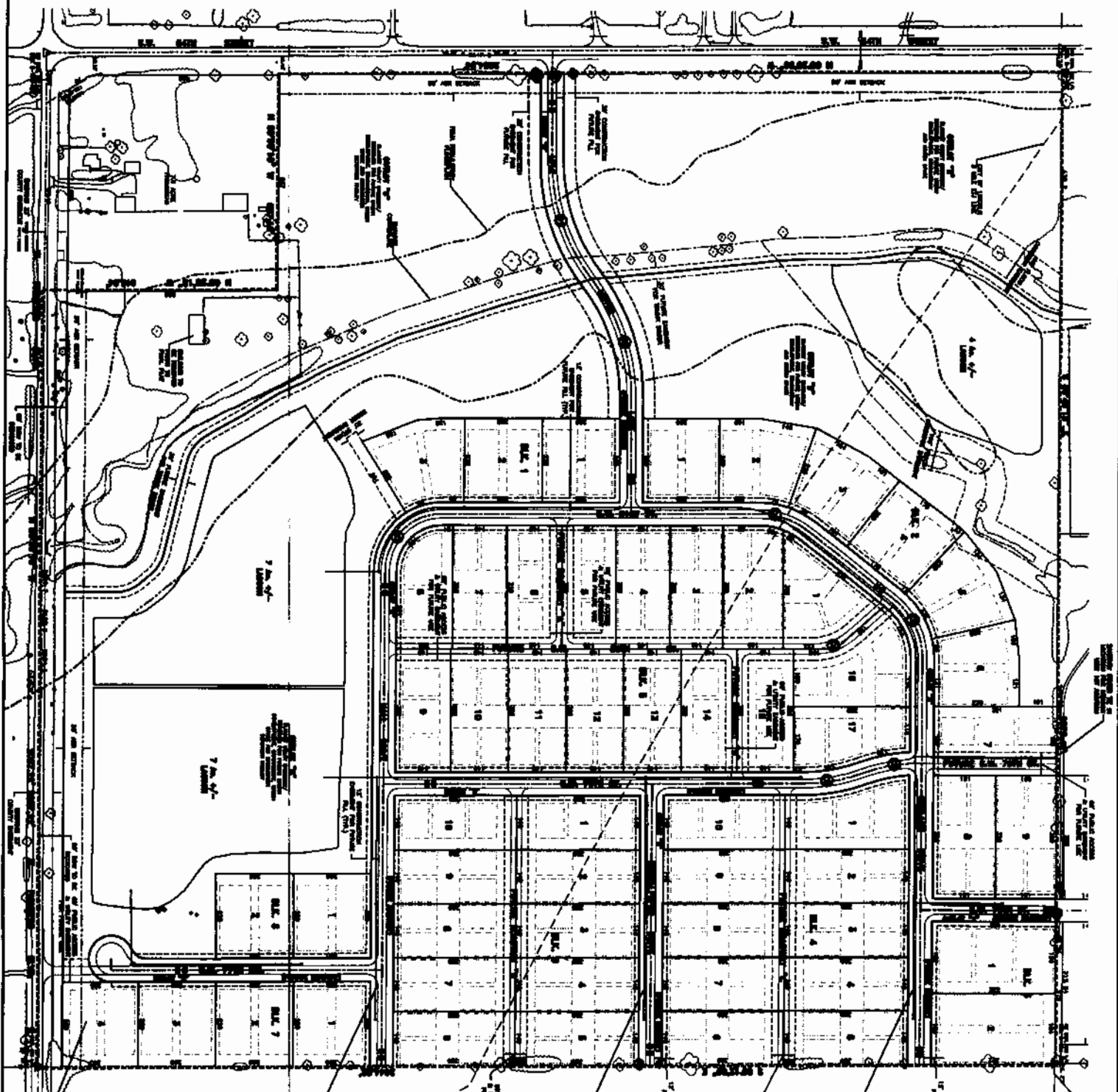
Please contact us if you have any questions or require additional information.

Sincerely,



Mark C. Palmer, PE

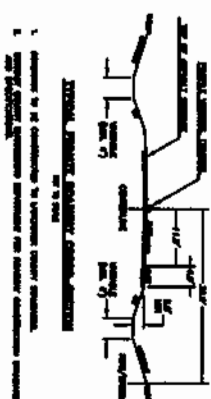
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MEADOW VIEW 2ND
ADDITION
PRELIMINARY PLAT AND C.U.P.

033

County Prelim. Plat #05001
Co. Change of Zone #05007
Change of Zone #05006
Co. Special Permt #05004
Special Permt #05003
Meadow View 2nd Add
SW 54th & W Pioneer Blvd

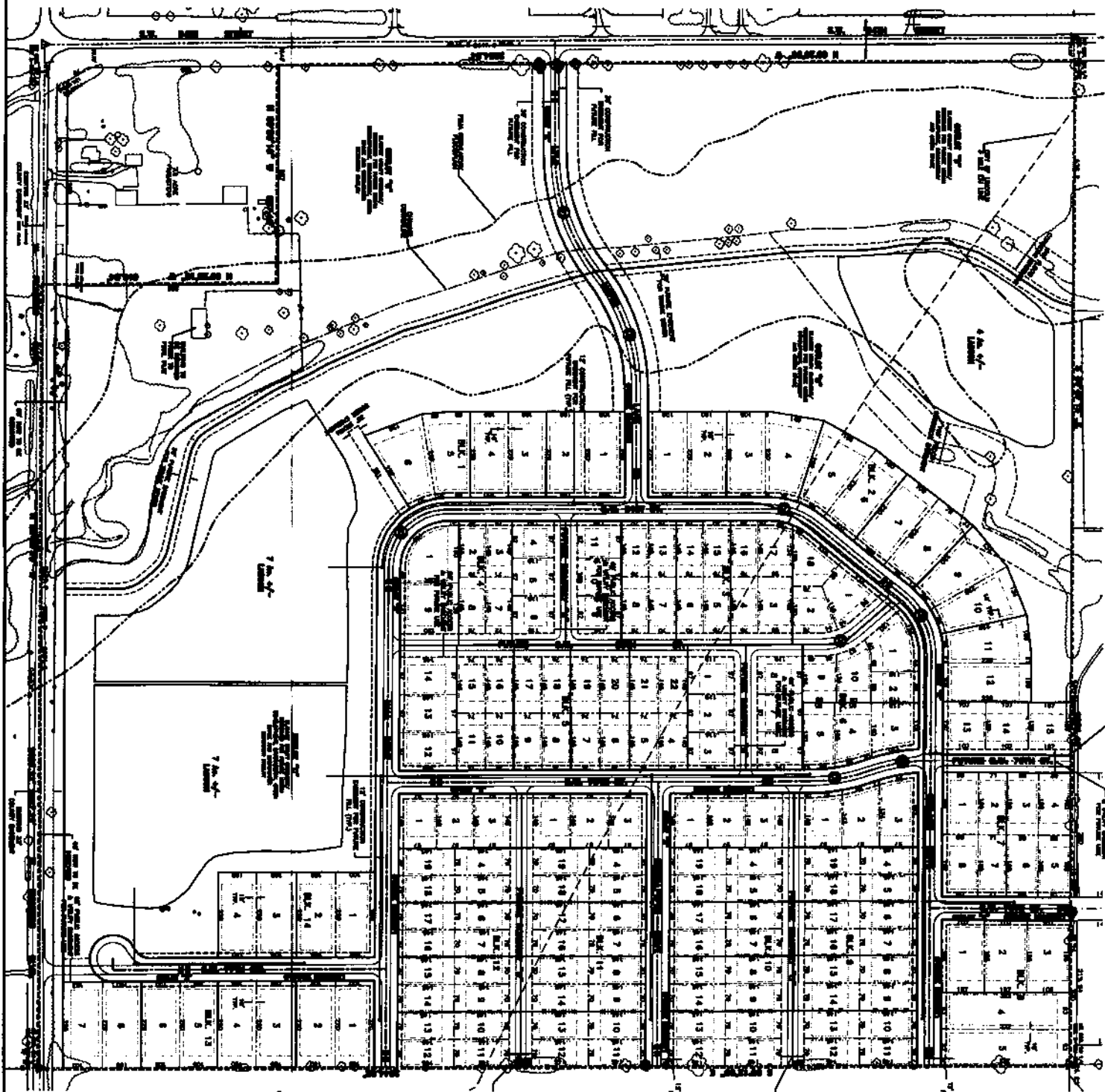


INITIAL ACREAGE DEVELOPMENT

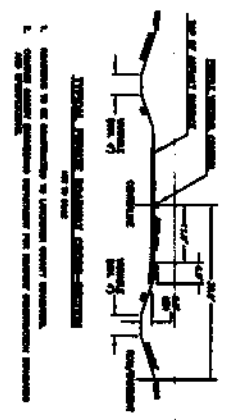
MEADOW VIEW 2ND ADDITION
PRELIMINARY PLAT AND C.U.P.

LANCASTER COUNTY, NE

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County Prelim. Plat #05001
Co. Change of Zone #05007
Change of Zone #05006
Co. Special Permit #05004
Special Permit #05003
Meadow View 2nd Add
SW 84th & W Pioneers Blvd



BUILD THROUGH OVERLAY
MEADOW VIEW 2ND ADDITION
PRELIMINARY PLAT AND C.M.P.

LANCASTER COUNTY, NE

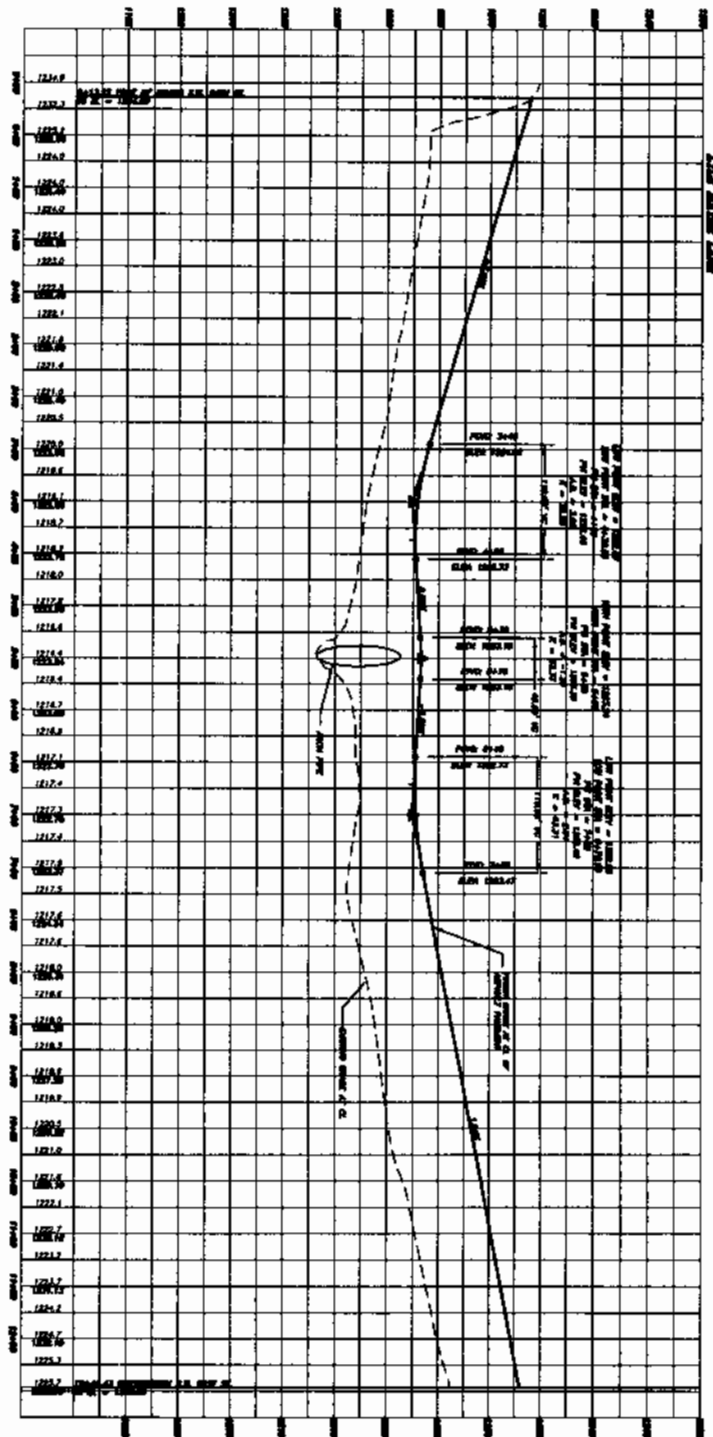
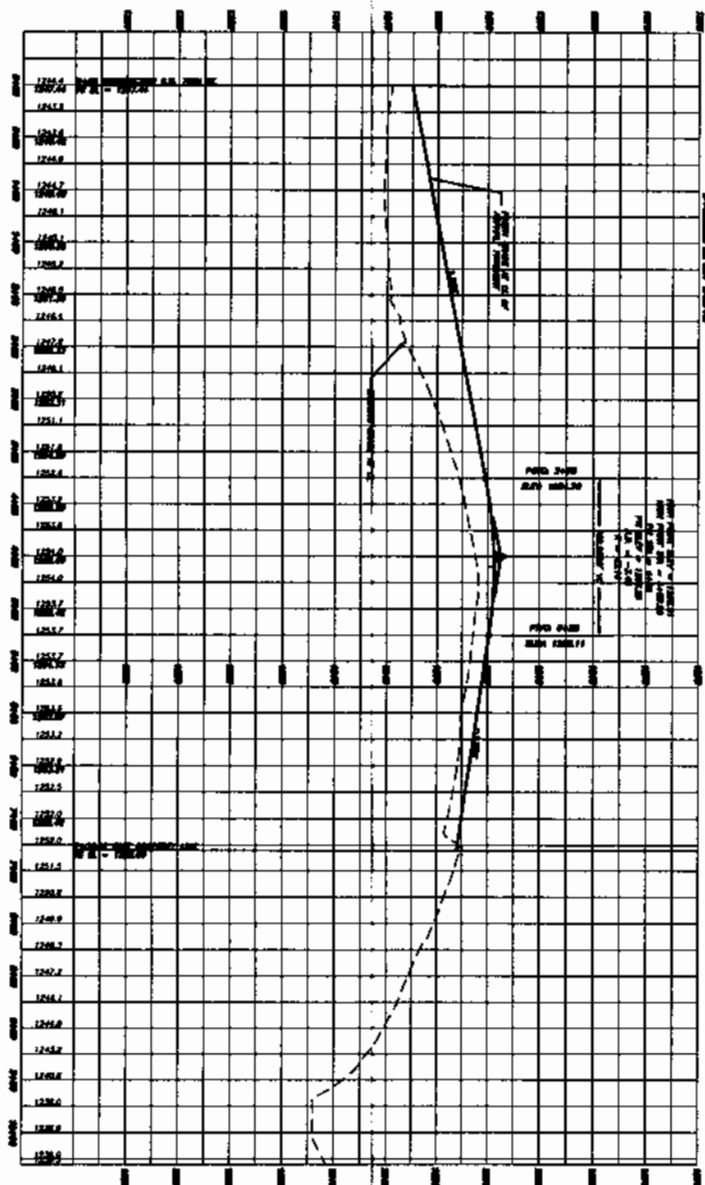
GENERAL SITE NOTES

1. INDIVIDUAL WATER WELLS FOR EACH LOT TO BE CONSTRUCTED IN SUCH A MANNER THAT AN ADEQUATE SUPPLY OF POTABLE WATER MEETING THE CURRENT STANDARDS OF THE DEPARTMENT OF HEALTH OF THE STATE OF NEBRASKA FOR DRINKING PURPOSES IS AVAILABLE TO EVERY LOT WITHIN THE SUBDIVISION AT THE TIME IMPROVEMENTS ARE ERECTED THEREON. ALL WATER WELLS SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE RULES AND REGULATIONS OF THE HEALTH DEPARTMENT.
2. WASTEWATER COLLECTION SYSTEM SHALL BE A COMMUNITY WASTEWATER SYSTEM BUILT WITH 8" PVC PIPE AND CONSTRUCTED TO CITY OF LINCOLN SPECIFICATIONS.
3. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
4. ALL CULVERT DRAINAGE PIPE UNDER DRIVEWAYS TO BE 18-INCH DIAMETER OR LARGER AND 24-Feet IN LENGTH OR LONGER.
5. ALL PIPE DRAINAGE STRUCTURES SHALL BE CONSTRUCTED OF NEW CORRUGATED METAL CONFORMING TO SECTION 719 AND SECTION 724 OF THE STATE OF NEBRASKA DEPARTMENT OF ROADS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION AND SHALL HAVE A MINIMUM OF 1-FOOT OF COVER. ALL SPIRAL CORRUGATED METAL PIPE USED FOR DRAINAGE SHALL HAVE ANNULAR CORRUGATIONS AT EACH END OF THE PIPE SECTION, AND MANUFACTURED WITH A CONTINUOUSLY WELDED SEAM. SUCH CONSTRUCTION SHALL BE SUBJECT TO INSPECTION AND APPROVAL OF THE COUNTY ENGINEER.
6. THE DESIGN, LOCATION AND INSTALLATION OF ALL STREET SIGNS DESIGNATING THE NAME OF STREETS, ROADS, PRIVATE ROADWAYS, AND TRAFFIC CONTROL SIGNS SHALL BE APPROVED BY THE COUNTY ENGINEER.
7. ALL STREETS, ROADS, AND PUBLIC WAYS WITHIN THE SUBDIVISION SHALL BE SEEDED AND SHALL CONFORM TO THE REQUIREMENTS OF SUBSECTIONS 803, 804 AND 805 OF THE STATE OF NEBRASKA DEPARTMENT OF ROADS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION. GRADED AND OTHER DISTURBED LAND SHALL BE STABILIZED TO PREVENT DAMAGE TO THEM DURING CONSTRUCTION.
8. LAND PREPARATION AND GRADING ACTIVITIES TO CONFORM TO SECTION 5.06 OF THE LANCASTER COUNTY SUBDIVISION REGULATIONS.
9. PRIVATE ROADWAY TO BE SURFACED WITH SIX INCHES OF ASPHALTIC CONCRETE PAVEMENT.
10. ALL STREETS, ROADS AND PUBLIC WAYS WITHIN THE SUBDIVISION SHALL BE GRADED TO THE STANDARDS DESCRIBED IN RESOLUTION NO. 3039 OR IN CHAPTER 4 OF THE LANCASTER COUNTY SUBDIVISION REGULATIONS.
11. CONSTRUCTION PROCEDURES FOR STREETS AND ROADS SHALL CONFORM TO SUBSECTIONS 204.01, 204.02, AND 204.03 FOR CLASS III EMBANKMENTS OF THE STATE OF NEBRASKA DEPARTMENT OF ROADS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION. THE REQUIRED DENSITY SHALL BE 95% OF THE MAXIMUM DRY DENSITY AND THE REQUIRED MOISTURE CONTENT SHALL BE BETWEEN OPTIMUM AND OPTIMUM PLUS 2%.
12. ALL ROAD CONSTRUCTION SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE COUNTY ENGINEER.
13. MOWING AND TRIMMING OF THE SEEDED PORTION OF THE INTERIOR ROADWAY SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER.
14.

<u>INITIAL TOTAL USAGE:</u> TOTAL BLOCKS - 8 TOTAL LOTS - 57 <u>ULTIMATE TOTAL USAGE:</u> TOTAL BLOCKS - 14 TOTAL LOTS - 152	<u>INITIAL ZONING:</u> EXISTING - AG PROPOSED - AGR <u>ULTIMATE ZONING:</u> R-3
---	---

OUTLOT "A" - PRIVATE ROADWAYS AND FUTURE PUBLIC UTILITIES
OUTLOT "B" & "C" - BLANKET UTILITY EASEMENT, FUTURE URBAN DEVELOPMENT, DRAINAGEWAY, GREENSPACE & FUTURE DETENTION
15. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
16. ALL ELEVATIONS ARE BASED ON NAVD 1988.
17. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
18. A HOMEOWNER ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN THE PRIVATE ROADWAYS AND OUTLOTS.
19. WEST PIONEERS BLVD. IS A GRAVEL ROADWAY ADJACENT TO THE PROPERTY BOUNDARY. SOUTHWEST 84TH STREET IS AN ASPHALT ROADWAY.
20. RIP RAP IS REQUIRED AT ALL CULVERT ENTRANCE AND EXITS THAT GO UNDER THE PRIVATE ROADWAY.
21. DIRECT VEHICULAR ACCESS TO S.W. 84TH STREET AND W. PIONEERS BLVD. IS RELINQUISHED EXCEPT AS SHOWN.
22. CULVERT PIPES UNDER PRIVATE DRIVES SHALL HAVE A CONCRETE HEADWALL OR FLARED END SECTION ON INLET AND OUTLET.
23. "JUNK" CARS WILL BE PROHIBITED BY COVENANT OR DEED RESTRICTION.
24. NORMAL FARMING OPERATIONS OCCUR IN THE AREA AND ARE NOT A NUISANCE TO THIS DEVELOPMENT.
25. THE SETBACKS SHALL CONFORM TO THE CITY OF LINCOLN R-3 ZONING REGULATIONS, EXCEPT WHERE NOTED IN BLOCKS 1, 2, 8, 13 & 14.
26. INITIAL ACREAGE DEVELOPMENT SHALL BE LIMITED TO ONE DWELLING UNIT PER LOT, WHICH SHALL BE BUILT ON ONE OF THE BUILDING ENVELOPES SHOWN ON SHEETS 2 & 3.
27. THE FUTURE STORM WATER DETENTION FACILITY IN OUTLOT "C" SHALL BE DESIGNED TO THE CITY OF LINCOLN DETENTION CRITERIA AT THE TIME OF ANNEXATION.
28. THE COMMUNITY LAGOON SYSTEM SHALL BE DESIGNED IN ACCORDANCE WITH NDEQ DESIGN GUIDELINES FOR WASTEWATER STABILIZATION PONDS. THE SMALLER LAGOON TO THE NORTH WILL SERVICE 15 LOTS OF MEADOW VIEW 1ST ADDITION. THE LARGER LAGOON TO THE SOUTH WILL SERVICE THE C.U.P. AND AN ADDITIONAL 18 LOTS OF MEADOW VIEW 1ST ADDITION.
29. SOUTHWEST 84TH STREET DOES NOT HAVE NDOR ACCESS CONTROL. THE INTERSECTION OF LYLE MAYER LANE AND SOUTHWEST 84TH MEETS CITY AND COUNTY INTERSECTION SIGHT DISTANCE REQUIREMENTS.

County Prelim. Plat #05001
Co. Change of Zone #05007
Change of Zone #05006
Co. Special Permit #05004
Special Permit #05003
Meadow View 2nd Add
SW 84th & W Pioneers Blvd



County Prelim. Plat #05001
 Co. Change of Zone #00007
 Change of Zone #05006
 Co. Special Permit #05004
 Special Permit #05003
 Meadow View 2nd Add
 SW 84th & W Pioneers Blvd

01

037

Lancaster

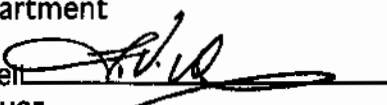
County

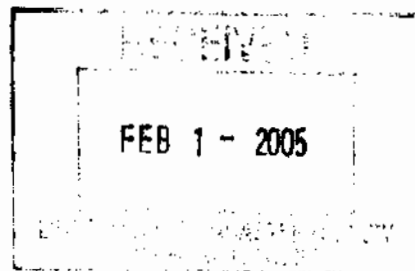
Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY - LARRY V. WORRELL
COUNTY SURVEYOR

DATE: January 31, 2005
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: MEADOW VIEW 2ND ADDITION



Upon review, this office would have the following comments:

- 1) Surfacing for roads in the County portion of the plat shall be of the type and thickness as required by the City of Lincoln, *Build Through Standards*.
- 2) Add to the General Notes: Each lot will be permitted one access only until further subdivision occurs.
- 3) Add to the General Notes: Large ornamental decorations are not permitted within the private road right-of-way.
- 4) The temporary dead-end streets shall have a 30 feet radius turnaround and 22 feet Type III barricades. Grading shall extend around the cul-de-sac.
- 5) Culvert #4 shows a drainage area of 7.99 acres and a Q_{10} of 3 cfs. This does not appear to be correct.
- 6) Outlot "C" does not have any area left over for a future detention area due to the proposed lagoons.
- 7) Connection of Lyle Mater Lane to State Spur 55-A shall be approved by the Nebraska Department of Roads.
- 8) Minimum building opening elevations shall be shown for Lots 1-3, Block 1 and Lots 1-4, Block 2.
- 9) A Flood Plain Permit is required for the road and culvert construction of Lyle Mater Lane.
- 10) If SW 77th Circle is connected to West Pioneers Blvd. in the future, West Pioneers Blvd. shall be graded and paved and the existing bridge shall be replaced.
- 11) Culverts that extend beyond the right-of-way line shall have Permanent Easements shown for future maintenance.

LVW/DP/cm
SUBDIV.WK/Meadow View Add/2nd Addition Needed Items.Mem

038

Memorandum

To:	Mike DeKalb, Planning Department
From:	Chad Blahak, Public Works and Utilities
Subject:	Meadow View 2 nd Addition CUP #05003
Date:	2/08/05
cc:	

Engineering Services has reviewed the submitted plans for the Meadow View 2nd Addition CUP, located north of W. Pioneers Blvd. and east of S.W. 84th St., and has the following comments:

Sanitary Sewer - The following comments need to be addressed.

(1.1) Part of the proposed sanitary lagoons are shown in the FEMA delineated flood plain. See grading comments.

(1.2) There does not appear to be any sanitary sewer draining to the proposed lagoon in the northwest portion of the plat.

(1.3) If the sewer connection to the development to the north is to be in the proposed 79th Street a 30' sanitary easement needs to be shown for the sewer. It appears that 78th Street would be the logical location for the sewer connection to the sewer system in the development to the north.

(1.4) A possible alignment for the future trunk sewer and required easement needs to be shown. Also, easements for the future connections from the proposed system to the future trunk sewer extension need to be shown on this plat.

Water Main - The private well systems are satisfactory.

Grading/Drainage - The following comments need to be addressed.

(3.1) Since the channel located on the west side of the development is designated Zone A and does not have a designated floodway, a detailed study and supporting calculations need to be provided and base flood elevations in NAVD 88 datum need to be determined. If the information shown on the plans is from a detailed study, supporting calculations need to be submitted.

(3.2) If the proposed street crossing causes more than 1.0' of rise, a conditional letter of map revision from FEMA will be required prior to the issuance of a grading permit. A letter of map revision from FEMA will then be required after the project is complete.

(3.3) The proposed calculated floodplain is unacceptable to Public Works. As shown, the

proposed culvert for Lyle Mayer Drive will cause the 100yr flood to encroach further into the ROW for SW 84th Street. The grading or culvert sizing needs to be revised such that the limits of the floodplain do not extend further into the ROW.

(3.4) The requested waiver for detention is not needed as the acreage development will not increase runoff. However, detention will be required at the time the acreage lots subdivide.

Streets/Paving - The following comments need to be addressed.

(4.1) A possible future profile for Pioneers Boulevard and associated grading needs to be shown. Any required grading on the adjacent proposed lots either needs to be shown as proposed grading with this plat or a grading easement needs to be shown for the extent of the future required grading if the grading is not feasible at this time.

(4.2) Additional information needs to be provided to show why a connection to Pioneers Boulevard is not shown on this plat. Although a block length waiver for Block 1 is approved by Public Works because of the floodplain, there does not appear to be any reason a street connection to Pioneers from Hall Drive via 77th Street or another street further west shouldn't be shown. This street connection will minimize the block length and provide better circulation.

General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE: February 1, 2005

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File

SUBJECT: Meadow View 2nd Add

EH Administration

CUP #05003 city
CUP #05004 county
CZ #05006 city
CZ #05007 county

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

- The developer proposes the use of individual water wells. The LLCHD has not received a copy of the water report.
- The developer proposes the use of a community lagoon system as the on-site wastewater treatment for the development. Lagoons may be located in the 100 year flood plain provided the top of the dike is a minimum of one foot above the flood plain. The separation between the bottom of the lagoon and groundwater must be at least two feet.
- The plans must depict a reserve area in the event that an expansion of the lagoons used for wastewater treatment is required.
- Well permits will be required for the lots located within the 3 mile limit of the City of Lincoln.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

John P Callen

01/28/2005 08:49 AM

To: Michael V Dekalb/Notes@Notes

cc: Dale L Stertz/Notes@Notes, Terry A Kathe/Notes@Notes, Devin L
Biesecker/Notes@Notes

Subject: [REDACTED] County CUP 05004

Mike -

Here are my comments regarding Meadow View Second Addition:

- Per 11.023 (b) of the County zoning ordinance, base flood elevations must be delineated in NAVD 88 datum for the unstudied floodplain within this CUP request. This should be done to ensure future homes in Block 1 and Block 2 (west side of proposal) are safe from flooding. Future homes in Block 1 and Block 2 should have lowest floor elevations required that are one foot above the adjacent flood elevation.

- The proposed lagoons must obtain floodplain permits prior to construction, if they appear within the flood hazard area. Obtaining flood elevations for this reach of unstudied FEMA floodplain will facilitate review of these future floodplain permit requests.

John P. Callen, EIT, CFM
Associate Engineer
City of Lincoln Dept. of Building and Safety
(402) 441-4970



R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090

AREA 2
SERVICE CENTER

FEB 10 2005

February 7, 2005

Mike Dekalb, Project Planner
555 S. 10th ST. #213
Lincoln, NE 68508

RE: Meadow View 2nd Addition

Dear Mike,

I have reviewed the subject plat. I would like to see some easements added. I would propose our standard 10' on all exterior lot lines [rear lot and street frontage], and 10' along all existing and proposed interior lot lines [5' each side].

As always, thanks for your cooperation.

Sincerely,

Rick Volmer, Construction Superintendent Area 2



Dennis L Roth

01/28/2005 03:53 PM

To: Michael V Dekalb/Notes@Notes

cc:

Subject: re: Meadow Village, 2nd Add

PROJ NAME: Meadow Village, 2nd Add
PROJ NMBR: CUP #05003 (City) #05004 (County) PID #005006 (City) #05007 (County)
PROJ DATE: 01/21/2005
PLANNER: Mike Dekalb

Finding NO similar/duplicate street names within our database, other than those which are obvious extensions of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

CROSS STs: SW 12 St

PUBLIC STs: none

PVT STs: Gerlach Dr, Hall Dr, Lyle Mayer Ln, Schellpeper Dr, SW 77 Cir, SW 77 St, SW 79 St and SW 81 St

COMMENTS: CONDITIONAL Approval.

City Ordinance requires the addition of the West prefix to Gerlach, Lyle Mayer and Schellpeper.

LOWER PLATTE SOUTH
NATURAL RESOURCES DISTRICT



3125 Portia St., Box 83581, Lincoln NE 68501-3581
(402) 476-2729 • FAX (402) 476-6454
www.lpsnrd.org

Memorandum

Date: January 26, 2005
To: Mike DeKalb, Planning Dept.
From: J.B. Dixon, Stormwater Specialist, Lower Platte South Natural Resources District
Subject: Meadow Village 2nd Addition Special Permit (CUP) #05003(City) & #05004(county)

We have reviewed the special permit of the project above.

- The developer will need to obtain an NPDES Stormwater Permit through our office and the Nebraska Department of Environmental Quality, which includes a Stormwater Pollution Prevention Plan (SWPPP) for review and approval prior to any land disturbance. We look forward to working with the developer and design engineer through this NPDES approval process. Items that should be a priority in the SWPPP include:
 - Proper stabilization of all roadside swales using approved, effective erosion & sediment control BMP's.
 - An approved temporary or permanent seeding mix and application rate for all disturbed areas.
 - Proper stabilization of all lagoon structure side slopes.
 - More detailed stormwater flow designs for outfall locations at culvert #1, and for drainage areas 1&4, and drainage area 7.
 - An acceptable SWPPP Inspection Form to be used by the developer throughout the life of the project for required weekly inspections.
- The developer should be in the process of obtaining a US Army Corps of Engineers 404 Permit for work planned for the proposed box culvert for the proposed Lyle Mayer Lane.
- The developer will need to obtain a floodplain permit through the City of Lincoln Building and Safety Dept. prior to any proposed land disturbance in the delineated floodplain.

If you have any questions, feel free to call.

JBD/jbd

pc: file



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

January 20, 2005

Mr. Marvin Krout
Planning Department
County-City Building
555 S. 10th Street
Lincoln, NE 68508

Re: Meadow View 2nd Addition Soils Report
OA Project No. 2004-1172

Dear Mr. Krout:

The above mentioned project is located in Section 2, Township 9 North, Range 5 East of the 6th P.M., Lancaster County, Nebraska. A copy of an aerial photograph from the soils survey of Lancaster County, Nebraska, 1980 is included with this report.

You could expect to encounter the following soil types within the boundaries of this property:

MeC2	Mayberry silty clay loam, 7-11% slopes, eroded.
ShD	Sharpsburg silty clay loam, 5-9% slopes.
WtC2	Wymore silty clay loam, 3-7% slopes, eroded.
SmD	Shelby clay loam, 6-11% slopes, eroded
GeD	Geary silty clay loam, 6-11% slopes.
JuC	Judson silt loam, 2-6% slopes.
Ns	Nodaway silt loam, channeled.
Ke	Kennebec silt loam, 0-2% slopes.
Zo	Zook silt loam, 0-2% slopes.

Mr. Marvin Krout
Page Two
5 March 2004

In general, most of these soil types are suitable for building sites, however, these soil types exhibit the potential for shrink-swell as well as the potential for frost action, which can damage foundations and basement walls. All foundations and basement walls should be designed to withstand the shrink-swell potential of the soil, and all footings should extend a minimum of 42 inches below grade to avoid the potential for frost action. The Ke, Ns and Zo soil types are generally located in the channel and will not be built upon.

Most of the soils within this development have the potential to hold water during periods of heavy rainfall or lawn irrigation; therefore it is a good idea to install drain tile systems around the footings during construction and to provide sump pump pits no matter what the soil type to avoid the hazard of seepage into basements.

The grading of the above referenced property will result in cuts and fills greater than 5 feet in some areas. All fill areas will be tested by an Independent Testing Laboratory for proper moisture content and compaction.

If you have any questions concerning this report, please contact me.

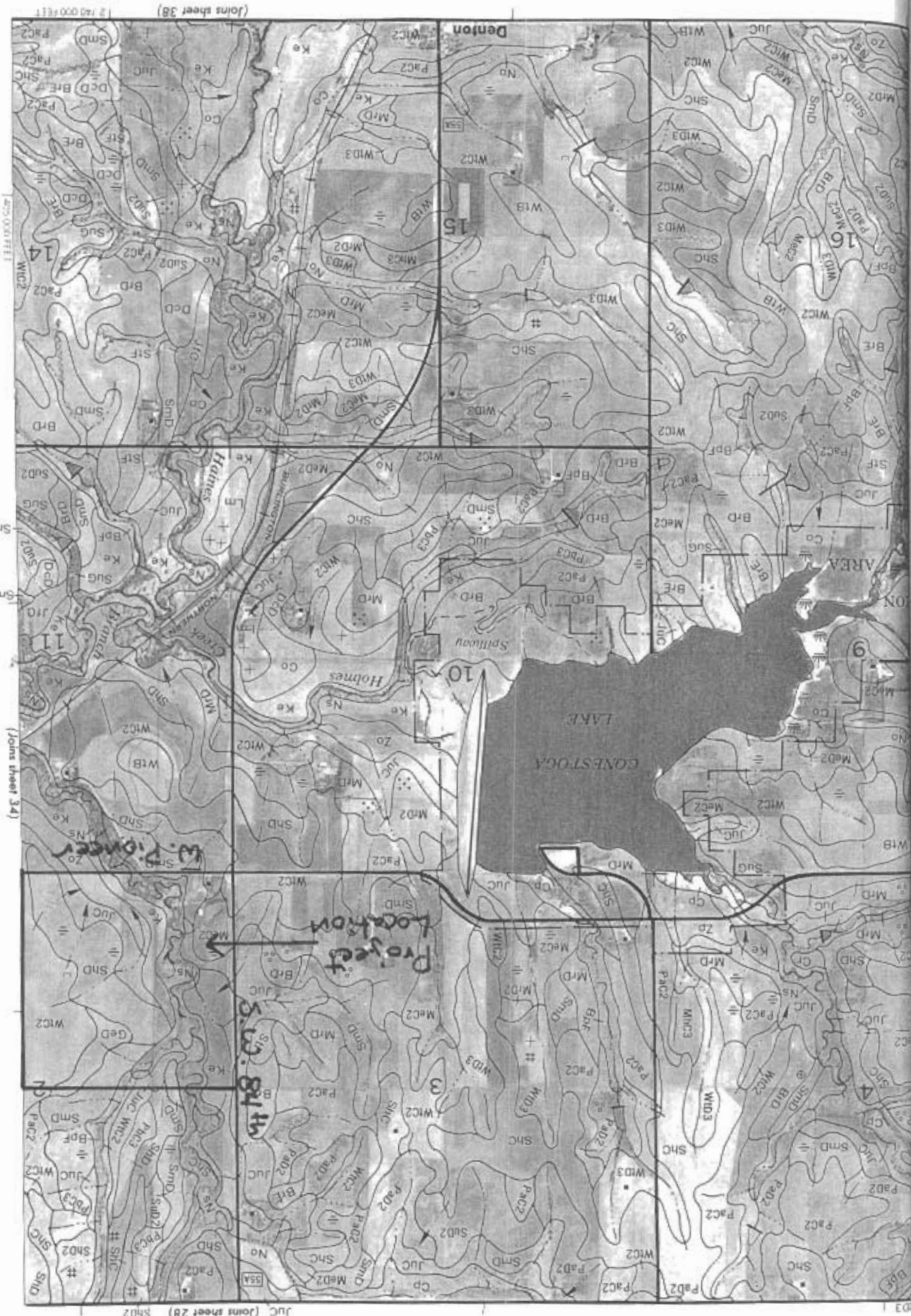
Sincerely,



Ryan Beckman, P.E.

Encl.

F:\PROJECTS\2004\1172\DOC\SOIL.105.DOC



Scale 1:20,000



(Joins sheet 34)

(Joins sheet 38)

JUC (Joins sheet 28) SHD2

**GROUND WATER
QUALITY/QUANTITY Report**

**MEADOW VIEW PHASE II
SOUTHWEST QUARTER OF SECTION 2,
TOWNSHIP 9 NORTH, RANGE 5 EAST
LANCASTER, NEBRASKA**

**PREPARED BY
OLSSON ASSOCIATES**



JANUARY 2005

OA PROJECT No. 2004-1172.01



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

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III. SITE GEOLOGY AND HYDROGEOLOGY	2
IV. RECOMMENDATIONS AND CONCLUSIONS.	4

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Appendix A: Topographic Map, Area Map, and Well Location	
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I. INTRODUCTION

This report reviews geologic and hydrogeologic data for a proposed subdivision in southwest Lancaster County and determines if adequate ground water supply is available for the proposed development. The proposed subdivision (Meadow View Phase II) consisting of 57 one-acre lots encompasses 160-acres of land and is located in the Southwest Quarter of Section 2, Township 9-North, Range 5-East, Lancaster County, Nebraska (see Figure 1, Appendix A). The proposed subdivision is bordered to the northwest by Conestoga Hills development, to the north by Meadow View development (1st Phase), to the northeast by Ridge Park development, to the east by undeveloped land, to the south by West Pioneers Street and to the west by Southwest 84th Street (see Figure 2, Appendix A).

Data from the Nebraska Department of Natural Resources and the Conservation and Survey Division – Institute of Agriculture and Natural Resources was reviewed to complete this study. Data on water quality in Section 2 was obtained from a report prepared by Mr. Vince Dreeszen in 1998.

II. REGIONAL GEOLOGY/HYDROGEOLOGY

Geology

The study area lies in the glacial drift area of southeast Nebraska. Subsurface geology in this area consists of Quaternary-age sediments (clay, sand and gravel and glacial till). Underlying these sediments is the Cretaceous-age Dakota Group. The Dakota Group consists of interbedded sandstone and shale. Published reports on the Dakota Group indicate the thickness of the sandstone layers are highly variable and can change within short distances.

Hydrogeology

Perched aquifers are known to occur above the glacial till contact within this area, however, wells installed in these water-bearing sediments are low yielding and water quality can be highly variable. The principal aquifer in this area is the Dakota Group sandstone. Depth to the principal water table varies and is a function of topographic location. Ground water flow is expected to be west to east (see Reference 1). Published reports indicate water quantity

and quality of the Dakota Sandstone is generally acceptable for potable use. However, areas of highly mineralized water and high levels of sodium chloride can occur in the formation (see Reference 2).

III. SITE GEOLOGY AND HYDROGEOLOGY

Review of the Department of Natural Resources registered well data bank documents 63 registered wells in Section 2 (see Figure 3, Appendix A). These wells are registered as individual domestic wells with statuses of active or inactive. Thirty-one wells are located in the northeast quarter (Ridge Park Development), twenty-nine wells are located in the northwest quarter (Meadow View Development), two wells are located in the southwest quarter (Proposed Meadow View Phase II Development) and one well is located in the southeast quarter.

Water well registration records for these wells indicate the wells are screened in the upper sandstone layers of the Dakota Group. Well depths are dependent on topography and range from 120 feet below ground level (bgl) to over 200 feet bgl. Static water level ranges from 50 to 120 feet bgl. Comparing the static water level depth to the depth of the water-bearing sediments suggests the aquifer is likely under confined or semi-confined conditions. Water well registration records of wells located in the northwest and northeast quarters of Section 2 indicate the thickness of the sandstone ranges from 17 feet to greater than 85 feet. Water well registration records of the two wells located in the proposed development indicate the thickness of the sandstone ranges from approximately 24 feet to 60 feet thick. Table I below summarizes well construction data, estimated well elevation above mean sea level, estimated elevation above mean sea level of the screen section, sandstone thickness and reported well yields from representative wells within this section.

Table I
Well Construction Data and Screen Interval
Township 9 North, Range 5 East, Section 2

Well #	Well Location	Total Depth of Well in Feet	Estimated Well Elevation Above Mean Sea Level	Screened Section of Well (Above Mean Sea Level)	Sandstone Thickness In Feet	Measured well yield (in gallons per minute (gpm))
G-103657	NW/NW/SW/NE	240	1280	1040-1050	54	20
G-112001	NE/SW/SE/NE	190	1240	1050-1070	49	15
G-106803	NE/SE/SW/NE	225	1265	1040-1055	65	100
G-111926	NE/NW/NW/NW	220	1270	1050-1060	25	20
G-100746	C/SW/NW/NE	267	1285	1018-1038	30	60
G-106389	NE/SW/NW/NE	238	1272	1034-1054	37	80
G-093880	NE/NW/NE	280	1300	1020-1040	33	15
G-106094	SE/NW/NE/NE	205	1277	1072-1092	35	10
G-106061	SE/SW/SE/NE	224	1241	1017-1027	85+	100
G-104671	SW/SE/NE/NE	190	1260	1050-1070	28	20
G-115782	NE/SE	220	1225	1005-1015	45	20
G-084997	SW/SW	121	1230	1109-1129	24	30
G-100999	SW/SW	225	1240	1015-1030	60+	10

Data from Table I indicates the screened section of the individual wells in this area range from an elevation of 1017 feet to 1092 feet above mean sea level. This depth relates to the upper sandstone layers of the Dakota Group. The variability of the thickness of the sandstone can be seen in wells located on-site (G-084997 and G-100999) and wells located north of proposed development. Several of the drillers boring logs reviewed, indicated additional sandstone below these depths (G-106061 and G-100999), however, lower units of the Dakota Group are known to be of poorer water quality and may contain high concentrations of sodium chloride.

Water Quality

Water quality data was compiled from data obtained from CSD which included a ground

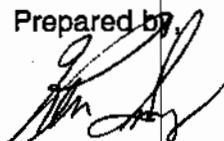
water study report prepared by Mr. Vince Dreeszen titled "Meadow View Community Plan, 1998" (see Reference 3) and analytical data attached to several water well registration forms. The Meadow View Community Plan report provides detailed analytical results from wells located in the northwest and northeast quarters of the section (Meadow View and Ridge Park). A total of eight wells were sampled and analyzed for total alkalinity, total hardness, total dissolved solids, sodium, calcium, iron, manganese, fluoride, chloride, sulfate, nitrate-N and Ph. Laboratory results from the eight wells indicate the water in this area is generally hard, contains elevated concentrations of iron, manganese and is highly mineralized. Nitrate, sodium and chloride concentrations in this area are low and should pose no concern. No laboratory data is available for the two wells located in the proposed subdivision.

IV. CONCLUSIONS AND RECOMMENDATIONS

Based on data reviewed, ground water beneath the proposed subdivision will provide an adequate potable source of water for individual household wells. Potable water-bearing sediments occur in the upper Dakota Group sandstone and yield 10 to 20 gallons per minute (gpm); however, greater yields (100 gpm) have been measured in the area. Analytical data indicates water treatment will be required to treat the high concentrations of iron, manganese and total dissolved solids.

Prior to home construction, OA recommends test drilling on each individual lot to determine water quantity and quality. Several of the wells located in the northwest and northeast quarter sections have been in use since the late 1990's. As of this report date, no water quality/quantity changes have occurred and none are anticipated. These findings concur with conclusions by Mr. Vince Dreeszen (Reference 3).

Prepared by



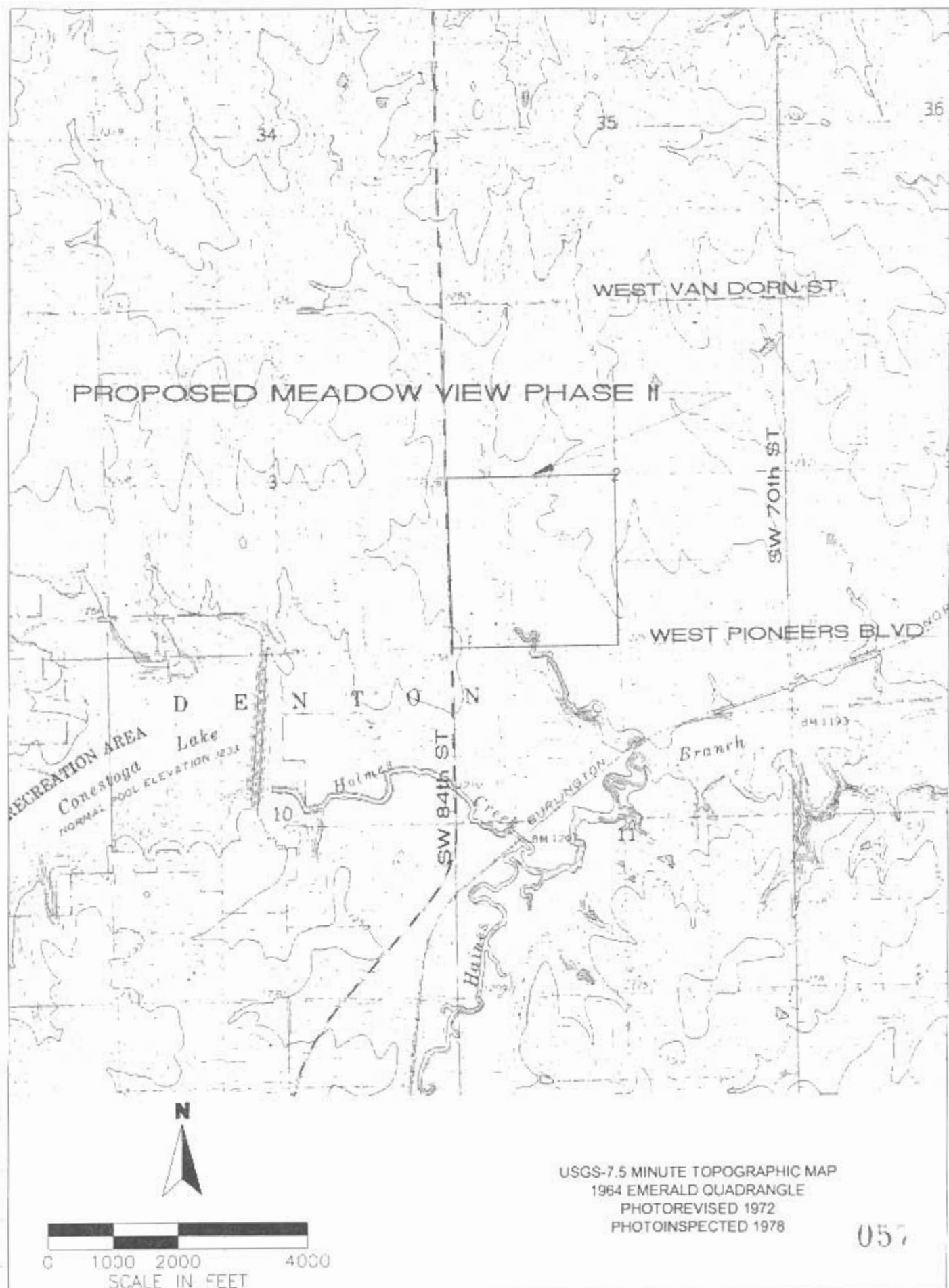
Ken Imig, P.G.

Reference 1. Configuration of the Water Table, Spring 1979, Lincoln and Nebraska City Quadrangle, Nebraska, Conservation and Survey Divisions Institute of Agriculture and Natural Resources University of Nebraska – Lincoln, 1980.

Reference 2. Southeastern Glacial Drift Area Hydrogeologic Summary from Domestic Well-water Quality in Rural Nebraska, Ground Water Region 11, Conservation and Survey Divisions Institute of Agriculture and Natural Resources University of Nebraska – Lincoln, 1996.

Reference 3. Meadow View Community Plan Ground Water Report, NW ¼ Section 2, Township 9 North, Range 5 East, Lancaster County, Vincent H. Dreeszen, October 6, 1998.

APPENDIX A
Topographic Map, Area Map
And Well Location



PROJECT: 2-2004-1172.01

DRAWN BY: RWD REVISIONS:

DATE: 01/10/05

TOPOGRAPHIC MAP
HUB HALL MEADOW VIEW PHASE 2
EMERALD, NEBRASKA

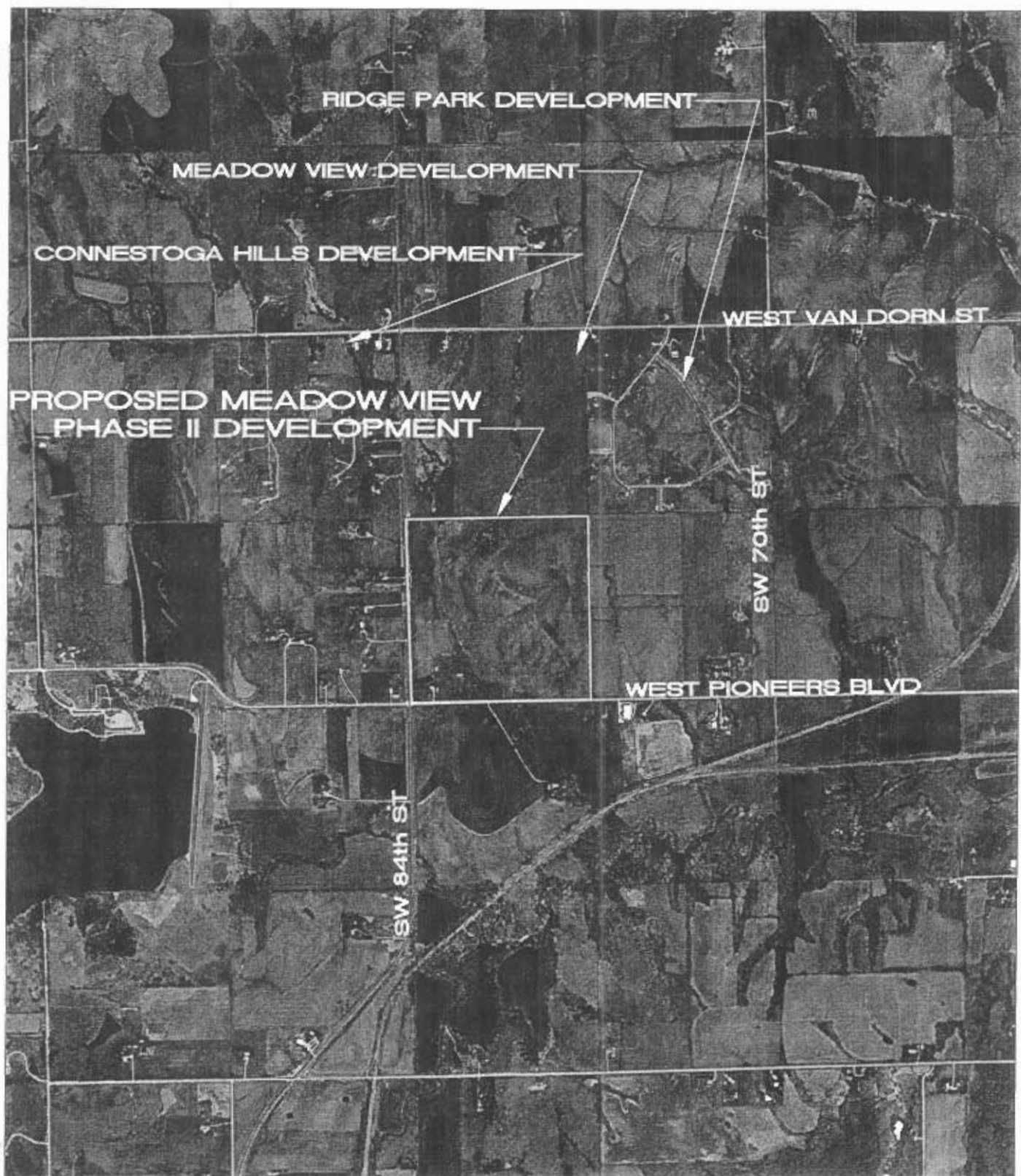


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FIGURE

1



NATIONAL AERIAL PHOTOGRAPHY PROGRAM (NAPP)
DIGITAL ORTHOPHOTO QUARTER QUADRANGLE
EMERALD QUADRANGLE (1999)

055

PROJECT: 2-2004-1172.01

DRAWN BY: RWD REVISIONS:

DATE: 01/10/05

AREA MAP

HUB HALL MEADOW VIEW PHASE 2
EMERALD, NEBRASKA



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FIGURE

2



PROJECT: 2004-1172 1-11-702

DRAWN BY: RD

DATE: January 14, 2005

WELL LOCATION MAP
Hub Hall Meadow View Phase 2
Emerald, Nebraska



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FIGURE

3